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2 JULY 1979

SPECIAL MEETING

Minutes

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, July 2, 1979 at 1730 hours in Special Session.

PRESENT: Commissioners Sanchez, Toler, Siggins

ABSENT: Commissioners Ciani, Murphy

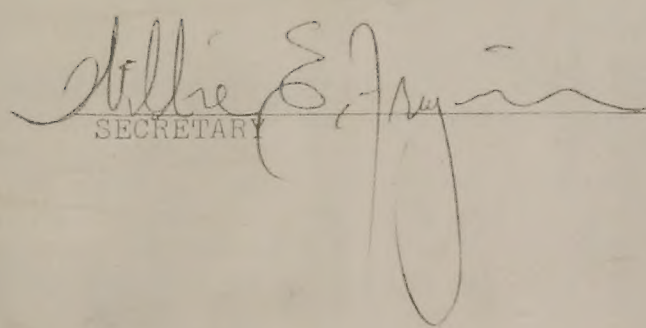
Commissioner Siggins presiding.

HEARING OF POLICE OFFICER KATHERINE ANDERSON,
PARK POLICE STATION

The meeting of this date was cancelled because of the inability of Commissioner Ciani to attend.

OCT 19 1979

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SECRETARY

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4 JULY 1979

REGULAR MEETING

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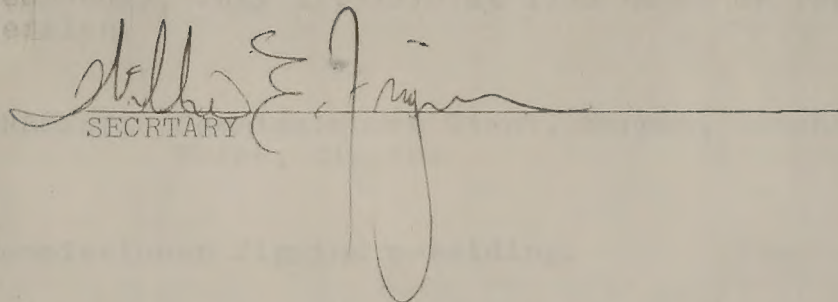
SF = minutes

No Police Commission meeting was had on this date.

OCT 19 1979

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The Police Commission of the City and County of San Francisco met in their regular meeting at the Hall of Justice, 450 Market Street, on Wednesday, July 11, 1979 at 1:30 p.m. in regular session.


SECRETARY

Commissioner's Report: "It is requested that the President of the Board of Police Commissioners be requested to call a meeting of the Board of Police Commissioners on or about July 12, 1979 at 1:30 p.m. for the purpose of discussing the resignation of Officer [redacted] and the appointment of a new Officer to fill the vacancy created by the resignation of Officer [redacted]. The Board of Police Commissioners is requested to consider the resignation of Officer [redacted] and the appointment of a new Officer to fill the vacancy created by the resignation of Officer [redacted]. The Board of Police Commissioners is requested to consider the resignation of Officer [redacted] and the appointment of a new Officer to fill the vacancy created by the resignation of Officer [redacted]."

Commissioner's Report: "It is requested that the Board of Police Commissioners be requested to call a meeting of the Board of Police Commissioners on or about July 12, 1979 at 1:30 p.m. for the purpose of discussing the resignation of Officer [redacted] and the appointment of a new Officer to fill the vacancy created by the resignation of Officer [redacted]. The Board of Police Commissioners is requested to consider the resignation of Officer [redacted] and the appointment of a new Officer to fill the vacancy created by the resignation of Officer [redacted]. The Board of Police Commissioners is requested to consider the resignation of Officer [redacted] and the appointment of a new Officer to fill the vacancy created by the resignation of Officer [redacted]."

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11 JULY 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 512, Hall of Justice, 850 Bryant Street, on Wednesday, July 11, 1979 at 1700 hours in Executive Session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

OCT 19 1979

1. - Personnel Matter.

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11 JULY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, July 11, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

Commissioner Siggins: "It is incumbent upon me as the President of the Commission to report that the Commission met in Executive Session prior to this meeting on a personnel matter. The Commission voted to ask for the resignation of Chief Charles Gain as Chief of Police as of January 8, 1980. The Chief handed us his resignation by letter saying to the Commission, 'Dear Commissioners: Consequent to your request, I herewith submit my resignation as Chief of Police effective January 8, 1980.' The Commission voted to accept the resignation and has accepted it. Do any of the Commissioners have anything further on this personnel matter to report?"

Commissioner Murphy: "I would like to make some brief comments. One of them is that I hope in the next 5 and 1/2 months that Chief Gain's Administration continues to provide high quality of police services, within the constitutional framework, such as protecting citizens from unwarranted police actions. extensive upgrading of the training of officers and

improving the quality of police services in general. In these areas his administration has been absolutely outstanding and has been recognized nationally. I also want to point out that he has clarified the chain of command and has made all personnel more accountable for their actions.

The Commission shares Chief Gains' concern that all San Franciscans have equal opportunity for employment as police officers regardless of race, sex, or sexual orientation, as provided for by the Federal, State and City Law. And his efforts to modernize and upgrade the Department have naturally given rise to debate both within the ranks and within the Community at large.

We are also impressed and hope it continues with the imposition of necessary discipline and appropriate professional standards. This, of course, has called forth resistance from some personnel unaccustomed to such guidance in the past. We hope that he will also help us in the next five and a half months to make a real search for a highly qualified and non-controversial, if that's possible, Chief as a replacement. We also wish him very good luck."

Commissioner Siggins: "Thank you Commissioner Murphy. Somebody else want to say something?"

Commissioner Ciani: "I will just make a brief comment. I think it probably appears incongruous to be praising the Chief at the same time that we are asking for his resignation. Yet, I concur in everything that Commissioner Murphy has said. This Commission has been immensely pleased with the Chief's work and we fully expect that he will continue his efforts with the same quality during the remaining portion of his tenure. I think our action today merely recognizes the fact that there will be a new administration as of the first of the year and that we would like to assist in making an orderly transition so that all the good work that has been accomplished by this administration will be preserved and continued."

Commissioner Toler: "I concur with Commissioners Murphy and Ciani. This Commission applauds you Chief Gain for your efforts and we wish you the best in many, many months and years to come. We will miss you and thank you for what you have done for this City and County of San Francisco."

Commissioner Siggins: "Commissioner Sanchez."

Commissioner Sanchez: "Yes, I just have a few comments. Chief Gain came in as an outsider, as a Change Agent to a key law enforcement unit in the nation. He has implemented a number of innovative programs dealing with personnel, manpower, utilization of resources and training. There comes a

point in everybody's life as a Change Agent where you reach that point to move on where programs are implemented, where it's a time for a change to either maintain or expand services, and I believe we all realize that this point in time has come. Nonetheless, we do view your record as one of significant accomplishments in those areas but at the same time we do realize, as you do, that your role as a Change Agent in the City and County of San Francisco and the San Francisco Law Enforcement Agency has reached its peak. And at the same time we know that whatever you do from here on in will also be significant in whatever area you pursue. So we wish you the best of luck in your future pursuits as a professional Law Enforcement Officer."

Commissioner Siggins: "I might add Chief, as I mentioned at the graduation of the recruit class the other night, you accepted a mandate from us to assist in improvement of police services in this community. You have served us in troubled times and you have carried out that mandate with impeccable integrity and my respect for you is complete."

Chief Gain: "Thank you. Mr. President, members of the Commission, I thank you very much for your remarks. I assure you, that we will continue as long as I am here as Chief of Police, we will continue the programs with a great deal of substantial staff help. It will not be a lame duck administration from the standpoint of just a status quo operation. We will continue on in everyway as we have in the past. This is a principle resolution to a problem and I thank you for the manner in which you have handled it as a Commission. Thank you very much."

Commissioner Siggins: "I might add Chief that at a time when the reference might be made to one of the unions, or the union of the Police Officers' Association, that when we have a hearing like the one we are having here tonight some of which involve the potential termination of a member of the Department, or employee of the Department, I have never met a man that is more concerned about the employee, more fair to that employee or more impartial. And members of that Association have told me personally that they have never felt that there has been a man with more sincerity, a man in some of the problems that we have tried to work out with the individual, who has given that individual the chance and not once, except in a drastic area, have you suggested that one of the employees be terminated. So I felt that that should be said at this time."

Chief Gain: "Thank you Mr. President."

RECOMMENDATION OF THE AWARDS COMMITTEE

Commissioner Siggins: "Commissioner Sanchez chaired the Awards Committee on June 29th."

Commissioner Sanchez: "Yes, with the Commission's permission I would like to discuss the two cases of the Gold Medal of Valor pertaining to these two candidates and for the above reasons. Number one, both men, both young men were involved in heroic efforts to save human beings who were in an auto accident involving three vehicles that were on fire. Other people had tried to get to the vehicles but were not able to get close and these two young officers went into the vehicles despite the intense heat, not once, but twice, and three times to rescue and save two people. They entered a third time, receiving severe burns and injuries and broke windows, in attempts to rescue what they thought was a third victim, which happened to be a sleeping bag in the back of the truck. All victims were saved and placed in intensive care units. This incident happened over a year ago, it happened May 30th 1978, but because of the change in command at the Southeast Station the report and recommendation was not forwarded to the Commission for proper procedure. There was a unanimous vote by acclamation for these two young men in reference to their heroic deeds in saving the two lives and preventing further injuries.

I would like to recommend that both men who are recommended for the Gold Medal of Valor be awarded one month's salary rather than just the \$200, or whatever the normal procedure is, and I would hope that the Commission would second this if deemed appropriate. I know it has never been done before, that's why I am bringing it here tonight and making a request that both men be paid one month's salary each as an award for the Gold Medal and given the nature of the situation, the high risk to both themselves and to other people in that area, and I would so move."

Commissioner Murphy: "I will second it. As I understand it this is possible for us to do legally, isn't it?"

Commissioner Sanchez: "Yes, other than that all of the others who are outstanding men and women of the department who were brought up and, basically, have demonstrated outstanding skills and life saving devices in the situations reported as follows. Basically, with the motion in second on the Gold I would move full approval of the Awards Committee."

Commissioner Siggins: "You are taking the entire Awards Committee recommendation plus the motion that includes one month's salary for the two Gold Medals?"

Commissioner Sanchez: "Unless you want to break it down into two, if not, I will go with the one."

Commissioner Murphy: "I will include that in my second."

Commissioner Siggins: "Question? All in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 433-79

RECOMMENDATION OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor - Gold Medal, Silver Medal, and Bronze Medal, under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, June 29, 1979:

Police Officer Allan C. Duncan.....Gold Medal of Valor
Police Officer Daniel A. McDonagh...Gold Medal of Valor
Police Officer Edgar J. Callejas...Silver Medal of Valor
Police Officer Gary J. Constantine.Silver Medal of Valor
Police Officer Kevin M. Dillon.....Silver Medal of Valor
Police Officer Lawrence A. Gray....Silver Medal of Valor
Police Officer Dennis A. Gustafson.Silver Medal of Valor
Police Officer Orin B. Hargraves...Silver Medal of Valor
Police Officer James E. Hickson....Silver Medal of Valor
Police Officer Dennis G. McClellan.Silver Medal of Valor
Police Officer Alan F. McPheters...Silver Medal of Valor
Police Officer Steve R. Marquez....Silver Medal of Valor
Police Officer Donald N.
Moorehouse.....Silver Medal of Valor
Police Officer Michael D. O'Brien..Silver Medal of Valor
Police Officer Richard H.
Van Winkle.....Silver Medal of Valor

Lieutenant Richard J. Shippy..Bronze Medal of Valor
Sergeant Donald J. Lando.....Bronze Medal of Valor
Sergeant Marlo (nmi) Tovani....Bronze Medal of Valor
Police Officer Peter A.
 Balestreri.....Bronze Medal of Valor
Police Officer Martin J.
 Barbero...Bronze Medal of Valor
Police Officer Anthony J.
 Camilleri.....Bronze Medal of Valor
Police Officer David L.
 Fontana...Bronze Medal of Valor
Police Officer James J.
 Gallagher....Bronze Medal of Valor
Police Officer Leroy (nmi)
 Henry.....Bronze Medal of Valor
Police Officer James F. Hunt..Bronze Medal of Valor
Police Officer William J.
 Kelly.....Bronze Medal of Valor
Police Officer Robert P.
 Salaiz....Bronze Medal of Valor
Police Officer Michael B.
 Slade.....Bronze Medal of Valor

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Higgins

RESOLUTION NO. 434-79

REWARDS GRANTED TO MEMBERS OF THE POLICE
DEPARTMENT

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, July 11, 1979; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco, therefore be it

RESOLVED, that Police Officers Allan C. Duncan and Daniel A. McDonagh, be, and they are hereby awarded Gold Medals of Valor and granted a reward of one month's salary each as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officer Edgar J. Callejas, Gary J. Constantine, Kevin M. Dillon, Lawrence A. Gray, Dennis A. Gustafson, Orin B. Hargraves, James E. Hickson, Dennis G. McClellan, Alan F. McPheters, Steve R. Marquez, Donald N. Moorehouse, Michael D. O'Brien, and Richard H. VanWinkle, be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each as provided for under said section of the Charter; and be it further

RESOLVED, that Lieutenant Richard J. Shippy, Sergeant Donald J. Lando, Sergeant Mario Tovani, Police Officers Peter A. Balestreri, Martin J. Barbero, Anthony J. Camilleri, David L. Fontana, James J. Gallagher, Leroy Henry, James F. Hunt, William J. Kelly, Robert P. Salaiz, and Michael B. Slade, be, and they are hereby awarded Bronze Medals of Valor and granted a reward of \$50.00 each as provided for under said section of the Charter.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1040 SACRAMENTO STREET - FAIRMONT HOTEL & TOWERS

- a) At 1040 Sacramento Street, install a 25' red zone, extending east of east building line.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NAYS: Commissioner Ciani

1750 LOMBARD STREET- S.F. MOTEL

- a) At 1750 Lombard Street, install a 9' red zone, extending from east property line 9' west of same.

- b) Revoke existing 9' green zone, extending from east property line 9' west of same.

330-5th STREET - GREAT WEST FOOD PACKERS

- a) At 330-5th Street, install a 20' yellow zone, extending from 9' to 29' north of Shipley Street.
- b) Remove parking meter #5S 318.

3235 SACRAMENTO STREET - LE CASTEL RESTAURANT

- a) At 3235 Sacramento Street, installed 17' white zone presently painted on curb needs time use changed to 11:30 A.M. to 1:00 A.M.
- b) Remove parking meter SAC 3215.

336 HAYES STREET - MANDARIN OPERA RESTAURANT-DENIED

- a) At 336 Hayes Street, install a 22' white zone, extending from east building line 22' west of same. DENIED.

1085 MISSION STREET - JIM'S LIQUOR

- a) At 1085 Mission Street, install a 22' yellow zone, extending from 7' to 29' west of east building line.
- b) Remove meter 1081.

766 HARRISON STREET - VICTOR CALIFORNIA

- a) At 766 Harrison Street, revoke existing 50' green zone, extending from 10' east to 40' west of east property line.
- b) At 766 Harrison Street, install a 50' yellow zone, extending from 10' east to 40' west of east property line.

1463 BROADWAY - BROADWAY BOWL

- a) At 1463 Broadway, revoke existing 44' Special Truck Loading Zone, extending 44' east of west building line.

131 MISSION STREET - TOMMY'S LIQUOR

- a) At 131 Mission Street, revoke existing 25' yellow zone, extending from 155' to 180' west of Spear Street.

1080 SACRAMENTO STREET - FAIRMONT HOTEL & TOWER - DENIED

- a) At 1080 Sacramento Street, install an 87' red zone, extending 87' east of existing red zone east of Mason Street. DENIED.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NAYS: Commissioner Ciani

1030 SACRAMENTO STREET - FAIRMONT HOTEL & TOWERS - DENIED

- a) At 1030 Sacramento Street, install a 71' red zone, extending from 50' to 121' west of Powell Street. DENIED.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NAYS: Commissioner Ciani

All items above not voted on separately were voted as follows:

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 128 feet of green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 420-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000 charging same to Firm No. 355081 2010 133 01 as an advance on the Police Narcotic Fund for the month of July, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 421-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain, in the amount of \$4,000 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of July, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 422-79

CALIFORNIA STATE AUTOMOBILE
ASSOCIATION (TERRANCE KING)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Terrance King) against the City and County of San Francisco in the sum of \$319.36 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 1, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 423-79

KAMRAN F. SHADAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kamran F. Shadan against the City and County of San Francisco in the sum of \$183.63 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 17, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 424-79

JILMA MARSHALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jilma Marshall against the City and County of San Francisco in the sum of \$150.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: 1976

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 425-79

LEE A. BANKS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lee A. Banks against the City and County of San Francisco in the sum of \$125.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 24, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 426-79

ERNESTINE MC KINNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Ernestine McKinney in the sum of \$50.00 in Municipal Court Action No. 730-052 entitled "Ernestine McKinney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 11, 1975

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 427-79

IRA CHECKLA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Ira Checkla against the City and County of San Francisco in the sum of \$30.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 4, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 428-79

JOHNNY H. DAVIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Johnny H. Davis against the City and County of San Francisco in the sum of \$30.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 6, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 429-79

ROSEMARIE ROLLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rosemarie Rolley against the City and County of San Francisco in the sum of \$30.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 7, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 430-79

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP, AND SERGEANT MICHAEL S. HEBEL, PERSONNEL AND TRAINING, AT THE QUARTERLY MEETING AND PUBLIC HEARING ON THE BASIC POLICE TRAINING COURSE AT LOS ANGELES, CALIFORNIA, ON JULY 26, 1979 AND JULY 27, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, be detailed to attend the Quarterly Meeting and Public Hearing on Basic Police Training Course at Los Angeles, California, on July 26, 1979 and July 27, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, in a sum not to exceed \$156.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 431-79

AUTHORIZING ATTENDANCE OF LIEUTENANT ALAN LARKIN, INVESTIGATIONS, AT A MIDDLE MANAGEMENT TRAINING COURSE, AT SAN DIEGO, CALIFORNIA, FROM JULY 23, 1979

TO AUGUST 3, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Alan Larkin, Investigations, be detailed to attend a Middle Management Training Course at San Diego, California, from July 23, 1979 to August 3, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Alan Larkin, Investigations, in a sum not to exceed \$632.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 432-79

AUTHORIZING ATTENDANCE OF SERGEANT GREGORY CORRALES, VICE CRIMES DIVISION, NARCOTICS UNIT, AT THE INFORMANT DEVELOPMENT AND MAINTENANCE COURSE AT RIVERSIDE, CALIFORNIA, FROM JULY 16, 1979 TO JULY 20, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Gregory Corrales Vice Crimes Division, Narcotics Unit, be detailed to attend the Informant Development and Maintenance Course at Riverside, California, from July 16, 1979 to July 20, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Gregory Corrales, Vice Crimes Division, Narcotics Unit, in a sum not to exceed \$314.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The members of the Commission, having received, amended and returned copies of the minutes of the meeting of June 6, 1979, reading

of same was dispensed with, and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Mr. President, members of the Commission."

RESOLUTION NO. 435-79

PATROL SPECIAL OFFICER LUCIEN M. VANCE III -REVOKED

RESOLVED, that the appointment of Patrol Special Officer Lucien M. Vance, III., for Beats Nos. 95 and 101, Richmond Police District, be, and the same is hereby revoked, effective July 11, 1979, he having sold his beats to Patrol Special Officer Elbert Taylor.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 436-79

PATROL SPECIAL OFFICER ELBERT TAYLOR - APPROVED

RESOLVED, that Patrol Special Officer Elbert Taylor, be, and he is hereby appointed a Patrol Special Officer for Beats Nos. 95 and 101, Richmond Police District; said appointment effective July 11, 1979, he having purchased Beats Nos. 95 and 101 from Lucien M. Vance, III.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 437-79

PATROL SPECIAL OFFICER BERNARD THOMAS MALONEY (DECEASED)-
REVOKED

RESOLVED, that the appointment of Patrol

Special Officer Bernard Maloney(Deceased) for Beat No. 66, Taraval Police District, be, and the same is hereby revoked, effective July 11, 1979, his daughter, Cecelia Melder, Administrator of the Estate of Bernard Thomas Maloney, having sold his beat to Special Police Officer Lucien M. Vance, III.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 438-79

PATROL SPECIAL OFFICER LUCIEN M. VANCE III -
APPROVED

RESOLVED, that Patrol Special Officer Lucien M.Vance III, be, and he is hereby appointed a Patrol Special Officer for Beat No. 66, Taraval Police District; said appointment effective July 11, 1979, he having purchased Beat No. 66, Taraval Police District, from the Estate of Bernard Thomas Maloney.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER ON
WEAPONS AND PROTECTIVE EQUIPMENT. - CANCELLED

RESOLUTION NO. 440-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO INCREASE
THE COVERAGE OF THE SENIOR CITIZEN ESCORT OUTREACH
SERVICE.

RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation which will increase the coverage of the Senior Escort Outreach Service in the amount of \$105,970.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

HEARING OF POLICE OFFICER BRUCE BUSHNER, COMMUNICATIONS DIVISION

The hearing of Police Officer Bruce Bushner, Communications Division, was called, it having been set for this date. Police Officer Bruce Bushner was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Inability to Perform Duties of Police Officer. (Violation of Section 2.01 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Bruce Bushner appeared in person and was represented by Sergeant Michael S. Hebel, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

An opening statement was made by Mr. Lawrence Wilson, Prosecuting Attorney.

An opening statement was made by Sergeant Michael S. Hebel, Defense Attorney.

The following-named witnesses were called by the Prosecution, sworn and testified:

Sergeant John Minoli
Personnel Bureau

Dr. Norman Steiner
Police Surgeon

The following Exhibits were entered into Evidence by the Prosecution:

Exhibit No. 1 - Disability and Sick Leave
Records of Police Officer
Bruce Bushner.

Exhibit No. 2 - Letter from Joseph Unamun, Claims Adjuster Compensation Division, San Francisco City and County Employees' Retirement System, dated October 3, 1978, re: Police Officer Bruce Bushner.

The Commission then adjourned at 2150 hours, and the matter was continued to Wednesday, August 1, 1979, at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

ABSENT: Commissioner Ciani

PUBLIC HEARING ON APPLICATIONS TO DETERMINE PUBLIC CONVENIENCE AND NECESSITY FOR THE ISSUANCE OF VEHICLE FOR HIRE PERMITS. (CONTINUED FROM THE MEETING OF JUNE 27, 1979.)

RESOLUTION NO. 439-79

FINDINGS AND DECISION OF THE POLICE COMMISSION IN THE HEARING ON APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF TAXICABS.

WHEREAS, each of the below-listed persons applied to the Police Commission for a declaration by the Commission on Public Convenience and Necessity for the issuance of a permit for operation of a taxicab in the City and County of San Francisco.

WHEREAS, this matter came on for hearing before the Police Commission of the City and County of San Francisco on May 14, 1979, and hearings continued at intervals until and including July 11, 1979; and

WHEREAS, many applicants appeared before the Commission and some presented documentary evidence in support of their applications; and

WHEREAS, various persons testified in opposition to the granting of additional permits and documentary evidence in support of their position was presented to the Commission; and

WHEREAS, police department staff, at the request of the Police Commission, conducted a survey of the prevailing conditions involving taxicab transportation in the City and County of San Francisco and submitted documentary evidence to assist the Commission in arriving at its decision; and

WHEREAS, the law requires that in order for a declaration of public convenience and necessity to be made the applicant shall have the burden of proof to establish by clear and convincing evidence that public convenience and necessity require the operation of the vehicle for which permit application is made; therefore be it

RESOLVED, that no applicant, nor applicants collectively, have established by clear and convincing evidence that public convenience and necessity require the operation of the vehicle or vehicles for which permit application is made; and be it

FURTHER RESOLVED, that the Commission finds there does not exist public convenience and necessity for the operation of additional taxicabs in the City and County of San Francisco.

Dodds, James R.
Rivera, Querida Mia
Rhee, Doo Yong
Bajada, Jose L.
Singh, Mahinder
Cook, Thomas J.
Siegel, Howard
Scheelke, Charles R.
Wallace, Richard A.
Coop, Brian Pendleton
Chung, Kyu Y.
Thomas, Cornelius F.
Trad, George
O'Falahee, Sean
Kanstoroom, Paul
Lim, Jack G.
Horning, Harry Joseph
Boyles, John Patrick
Vo, Cam Van
Maldonado, John J., Sr.
Brosnan, Thomas Patrick
Lloyd, Harold W.
George, Anthony Gerald
Woon, Victor Poy
Smith, Daniel F.
Quigley, Richard T.
Marez, Jimmy
Byrnes, William M.
Berzaman, Peter Panos
Cardona, Miguel Angel
McFall, Roy Russell
Gray, Theodore Eugene
McMahon, Patrick J.

Pilossof, Jack
Fong, Bud S.
Ho, Kenneth Y. K.
Bartholomew, John
Portal, Fernando A.
Gelder, Allen B.
Williams, Roosevelt
Sunga, Eugene L.
Patricio, Ruben A.
Pryor, Joshua K.
Wong, Dennis T.
Hinds, Dan Charles
Shair-Ali, Romeo
Maher, Ralph J.
Vance, Harold Arthur
Wong, King Hee
Duncan, Thomas
Dong, Kee Gok
Shook, William L. Jr.
Hsu, Gardner C.
Kelley, J. Howard
Varcados, James
Josue, Arthur
Mekbeb, Admassu
Venegas, Joseph M., Jr.
Fishel, Allan D.
DeCausemaker, Richard E.
Bottorff, James R.
Farr, Wendell Cordes
Busey, Matthew W.
Ma, John W.
Arkeder, Fred John, Jr.
Warne, Joseph P.
Huey, Gim F.
Manor, Robert
Lipkins, Joel C.
Hafiz, Nick
Tong, George
Leong, Frankie Fook
Kelley, Michael John
Grenfell, Edwin K.
Lee, Mun Hoy
Valdez, Roberto
Bendana, Louis P.
Yun, Johnson C. H.
Lee, Wing Dor
Maddox, James A.
Ribeiro, Leonard Charles
Park, Hae Kyoo
Yen, Eugene
Wootton, Joseph T.
Jajeh, Rafik A.
Damarco, John
Choy, Alfred Poon-Kiu
Hasegawa, Tai
Prenovitz, Simon S.
Tober, Dan Y.
Correll, William Joseph
Solidakis, John
Solorio, Francisco J.
Martinez, Joe Velasco
Moy, William W.
Ruiz, Albert T.

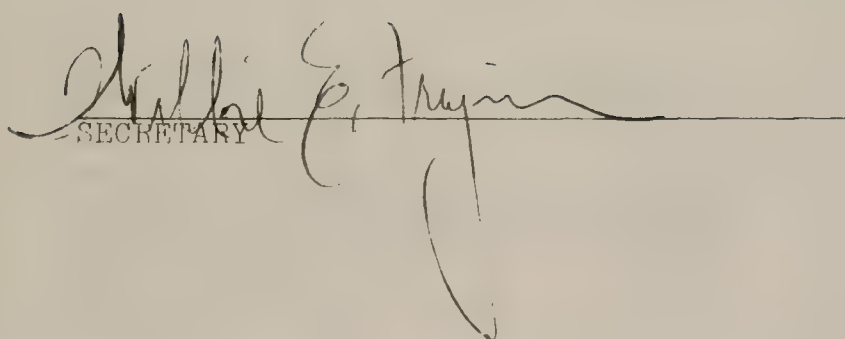
Phelan, James Patrick
Soto, Anderson Hon Sang
Dickson, Glenn J.
Gray, Charles C.
Tripoli, Frank Joseph
Chiu, Yee Hing
Harjo, William Joseph
Jay, Gimson
Shum, Kin Man
Innes, Sandra
Norvell, Edgar Lloyd
Simmoneau, Thomas John
Johnston, John Stevenson
Mines, James R.
Kearns, Claude F.
Chu, Tony
Chow, Henry Y.
Yee, Gay Ho Keung
Houchins, James L.
Elsayed, Mohamed
Ong, Sum M.
Garcia, Jesus Manuel
Diamos, Frank
Mehrtzen, Thomas G.
Leung, Kwong-Tai
Tober, York Y.
Griffin, Robert L.
Lavin, Martin John
Timberline, Rich
Johnson, Kenneth D.
Russell, Lawrence Victor
Westermeyer, Robert J.
Nunley, Franklin D.
Padell, Gilbert E.
McGee, Marguerite
McGee, Pharoah
Adams, Richard W.
Anton, Bruce H.
Brown, Chester J.
Wong, Oliver Y.T.
Wong, Peter K.
Yang, Samuel
Cesana, Robert
Boling, James
Pardbactani, Ali
Scoble, Edward James
Tsang, Abies Chun-Tok
Lo, Calvin C.
Kleiman, Charles S.
Hall, Al
Burke, Edmund
Yosiel, Kiflai
Taye, Fesahe
Galich, Diosdado G.
Diesso, Thomas
Ng, Che Man
Doen, Guenter Heinz
Heenlunrong, Chumlong
Clarkson, Marc
Craig, Robert S.
Mack, Glenn Arnold
Parsons, Douglas H.
Schreiner, Frank
Bottorff, Gene J.
Whipple, George Arthur

Tong, Chuck Bun
Evankoff, Constantine
Gillespie, James Benjamin
Coffman, Richard O'Farrell
Natividad, Cornelius E.
Zlotkin, Harry L.
Boas, Milburn Barcom
Stanghellini, Thomas J.
Wong, Warren Kan
Wong, Matthew Kan
Wong, Warren Kan, Jr.
Leung, Michael S.
Hom, Ying F.
Yee, Ben Yin
Dorestant, Rene
Contillo, Rene
Chin, Wai Jun
Wong, Winston Guey
Hom, Moon You
Lee, Arthur
Small, Lloyd Garland
Walker, Frances Mary
Chee, Yick Ping
Welshans, William Dean
Hoffman, James
Johnston, Russel M.
Stockfleth, Walter L.
Nguyen, Tu V.
Arroyo, Carlos Julio
Chan, Paul
Rubin, Ralph R.
Wong, Wing Hoi
Tsakonakis, John
Dong, Duncan Fee
Larson, James C.
Norton, William
Ahmed, Imtiaz
Ramsey, Willie
Ahmed, Aqam
Angeli, Clement Vincent
LeClair, Alfred Matthew, Jr.
Kelly, John W.
Feger, Robert H.
Sanz, Roberto Wolfert
Nolot, Gerard
Matheson, James Albert
Abebe, Legesse
Rush, Herbert A.
Christian, Edward Earl
Tesfa, Genene
Lynch, Frank P.
Gebru, Tilahun
Lesko, John G., Jr.
Tober, Taran Y.
Gaspard, Rogers A.
Fazackerley, Keith Seville
Hill, Leland E.
Abdella, Abdo M.
Tafesse, Markos Michael
Steen Henry
Kreipe, Thomas Ivan
Bohrig, William
Hall, James T.

Lym, Neil Chow
Bleder, Dixon J.
Seronic, Bernard
Neyhart, Dirk
Chiu, Ping Yin

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Higgins

The Commission then adjourned its meeting
at 2150 hours.


SECRETARY

18 JULY 1979

REGULAR MEETING

Minutes
The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, July 18, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Toler, Siggins

ABSENT: Commissioner Sanchez

OCT 19 1979

Commissioner Siggins presiding.

DOCUMENTS DEPT.
PUBLIC L

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

4799-17th STREET - 17th & COLE MARKET

- a) At 4799-17th Street, install a 22' yellow zone, extending from west property line to 22' east of west property line.

4799-17th STREET - 17th & COLE MARKET

- a) At 4799-17th Street, install a 22' green zone, extending from 22' west of west property line to 44' east of west property line.

2480 MISSION STREET - LOS PORTALES MEDICAL CENTER

- a) At 2480 Mission Street, install a 44' blue zone, extending from 46' to 90' north of south property line.
- b) Meters 2436 and 2434 to be removed.

2480 MISSION STREET - LOS PORTALES MEDICAL
CENTER - DENIED

- a) At 2480 Mission Street, install a 44' white zone, extending from 2' to 46' north of south property line. DENIED.
- b) Meters 2440 and 2438 to be removed. DENIED.

2960 DIAMOND STREET - GLEN PARK HOME ELECTRONIC CENTER

- a) At 2960 Diamond Street, install a 22' green zone, extending from 5' east of east property line to 22' east of east property line.

1844 BRODERICK STREET - 7 DAY ADVENTIST

- a) At 1844 Broderick Street, install a 22' white zone, extending from south property line 22' north of same.

1265 BATTERY STREET - S.F.P.D.

- a) At 1265 Battery Street, revoke existing 48' yellow zone, extending from 20' to 68' south of Greenwich Street.

325 BUENA VISTA - ST. JOSEPH'S HOSPITAL

- a) At 325 Buena Vista, install a 100' white zone, extending from main entrance 50' each direction. Temporary zone during reconstruction 18 months to 3 years.

325 BUENA VISTA - ST. JOSEPH'S HOSPITAL

- a) At 325 Buena Vista, revoke existing 68' white zone, extending from 27' to 155' south of north building line.
- b) At 325 Buena Vista, revoke existing 30' green zone, extending from 1' to 51' south of north building line.
- c) At 325 Buena Vista, revoke existing 50' green zone, extending from 155' to 205' south of north building line.

325 BUENA VISTA - ST. JOSEPH'S HOSPITAL

- a) At 325 Buena Vista, revoke existing 188' green zone, extending from 225' to 413' south of north building line.
- b) At 325 Buena Vista, revoke existing 105' green zone, extending from 45' to 150' south of Park Hill Boulevard.

32 PARK HILL - ST. JOSEPH'S HOSPITAL - DENIED

- a) At 32 Park Hill, install an 88' yellow zone, extending from Buena Vista 88' west of same. DENIED.

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 489 feet of yellow, green and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 441-79

PAUL CARO AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Paul Caro and his attorney in the sum of \$1,500.00 in Superior Court Action No. 699-677 entitled "Paul Caro and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 19775

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 444-79

STATE FARM MUTUAL (FRANCIS
CAVANAGH AND THEIR ATTORNEYS)

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of State Farm Mutual (Francis Cavanagh and their attorneys) in the sum of \$1,009.78 in Municipal Court Action No. 769-355 entitled "State Farm Mutual (Francis Cavanagh and their attorneys) vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 23, 1978

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 443-79

ROBERT THOMAS SCHMITZ

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Thomas Schmitz against the City and County of San Francisco in the sum of \$1,144.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 1, 1979

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 445-79

RICHARD A. JACKSON, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard A. Jackson, Jr., against the City and County of San Francisco in the sum of \$553.62 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 4, 1979

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 446-79

KENNETH E. SLOAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenneth E. Sloan against the City and County of San Francisco in the sum of \$500.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 26, 1978

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 447-79

YUSEFF I. KOULIBALY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Youseff I. Koulibaly against the City and County of San Francisco in the sum of \$460.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 18, 1976

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 448-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
(INSURED: EFFIE M. THOMAS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Insured: Effie M. Thomas) against the City and County of San Francisco in the sum of \$266.27 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 1, 1978

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 449-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
(INSURED: ZERBIB, GAIL & JULIO)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Insured: Zerbib, Gail & Julio) against the City and County of San Francisco in the sum of \$214.03 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 17, 1979

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 450-79

JOHNNIE M. NORRIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Johnnie M. Norris against the City and County of San Francisco in the sum of \$186.30 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 16, 1979

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 451-79

PETER M. SILVER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Peter M. Silver against the City and County of San Francisco in the sum of \$36.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 9, 1979

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 452-79

WILLIAM S. BREALL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William S. Breall against the City and County of San Francisco in the sum of \$30.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 23, 1979

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

RESOLUTION NO. 453-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant Ronald L. Jackson	)\$247.00	(At the Ad-
Crimes Specific Task Force	) each	(vanced Special
	)	(Weapons and Tac-
Sergeant Carl Peters	)	(tics Training
Crimes Specific Task Force	)	(Course at Santa
	)	(Rosa, California,
Police Officer Robert Sudano	)	(from June 18, 1979
Crimes Specific Task Force	)	(to June 22, 1979,
	)	(inclusive.
Police Officer Henry Kirk)	
Crimes Specific Task Force)	
)	
Police Officer Michael McElligott)	
Crimes Specific Task Force)	

AYES: Commissioners Ciani, Murphy, Toler,
Siggins

NOT VOTING: Commissioner Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

RECEIPT OF PROPOSED GENERAL ORDER REGARDING LONG
DISTANCE TELEPHONE USAGE. (COPIES SENT TO EMPLOYEE
ORGANIZATIONS)

Commissioner Siggins: "Does anybody consider that as a matter to Meet and Confer on?"

Chief Gain: "Well, not really, it's mainly a procedural thing. What we've done in regard to even that type order is to give it to the Employee Associations, nevertheless, to see if they want to make any comments, or whatever, on it."

Commissioner Siggins: "Well, the way we have couched it, we asked them if they wanted to Meet and Confer and I don't encourage that type of thing unless they come forward. Why don't we just send it to them, informational, on that type of an item?"

Chief Gain: "That applies to number 6 also, I think."

Commissioner Murphy: "Yes, well on this telephone usage, what is the policy now, isn't this what you usually have done over the years?"

Chief Gain: "Well, we are doing it but we are formalizing it. What we are doing we are formalizing it in written procedural form. We have not had a General Order setting these things forth. So that's what it does."

Commissioner Murphy: "In other words, there is nothing particularly new in this policy, it's just that you are putting it in a different form, is that correct?"

Chief Gain: "Well, basically, yes. We are monitoring, and have been monitoring telephone usage but we have not had a department-wide directive, so this just puts it in directive form."

Commissioner Ciani: "Can long distance calls be dialed direct from the phones in the Department?"

Chief Gain: "Yes, by dialing 'nine'."

Commissioner Ciani: "They don't have to be put through an operator?"

Chief Gain: "You dial nine and an operator comes on and ask your number."

Commissioner Murphy: "Which operator? The telephone company operator, or our operator here?"

Chief Gain: "The telephone company operator. Our telephone bill is \$390,000 dollars a year."

Commissioner Murphy: "Do you think this will cut down on it?"

Chief Gain: "I know it will. What we are doing now is every month Planning and Research looks at one particular organizational unit as far as telephone usage, and that goes on every month where they sample different units to find out whether unauthorized calls are being made. We simply can't look at every unit every month because of the volume. So our goal here is to reduce that substantial telephone cost."

Commissioner Ciani: "I just wonder whether a WATS Line might be less expensive than \$390,000."

Chief Gain: "Well, we have ATSS I think it's called, that we speak to in the Order, which is a different telephone system, which is cheap, but you can't use it for all calls."

Commissioner Murphy: "Have you any idea where the major portion of long distance calls are made?"

Chief Gain: "Probably made within California but they are made nationwide."

Commissioner Siggins: "Okay, this is informational anyway."

Chief Gain: "Yes, I would recommend that in regards to items number 4, 5, and 6, that we schedule them for what? Two weeks hence?"

Commissioner Siggins: "20a and 20b, too?"

Chief Gain: "Yes, all three of them."

Commissioner Ciani: "Item #5 is the one that the Public Defender has been interested in, is he going to appear at this meeting or has he been informed of this proposal?"

Chief Gain: "He is aware of it. ACLU also. They know what we are doing. And when it comes up for the public hearing they will be notified, if they want to come they can come."

Commissioner Ciani: "Haven't you been working directly with the Public Defender's Office?"

Chief Gain: "Oh yes, what this does is we put out an Informational Bulletin as you may recall, and this contains, in substance, what was in that Informational Bulletin, some changes, so they are aware of it and it will resolve that problem that brought about the complaint from both ACLU and the Public Defender."

Commissioner Murphy: "I couldn't gather from this General Order what 20a and 20b are. Are they referred to?"

Chief Gain: "That's the blocking the sidewalk and blocking entrance ways to businesses and so on."

RECEIPT OF PROPOSED GENERAL ORDER REGARDING LONG
DISTANCE TELEPHONE USAGE - CONTINUED FOR TWO (2)
WEEKS.

RECEIPT OF PROPOSED GENERAL ORDER REGARDING ENFORCE-
MENT OF MUNICIPAL POLICE CODE SECTIONS 20A AND 20B.-
CONTINUED FOR TWO (2) WEEKS.

RECEIPT OF PROPOSED GENERAL ORDER ON PRISONER PICKUP-
CONTINUED FOR TWO (2) WEEKS.

RESOLUTION NO. 454-79

SERGEANT CHARLES C. GALE, SUPPORT SERVICES BUREAU -
RECORDS.

WHEREAS, on Tuesday, January 23, 1979, Charles R. Gain, Chief of Police, made and served charges against Sergeant Charles C. Gale, reading as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Commission of a Violation of a Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Commission of a Violation of A Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Commission of a Violation of Penal Laws of the United States of America and the State of California. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

WHEREAS, the Police Commission set Wednesday, July 18, 1979, as the date for the hearing on charges filed against Sergeant Charles C. Gale; and

WHEREAS, Chief of Police Charles R. Gain announced that the Police Department was in receipt of the resignation of Sergeant Charles C. Gale from the San Francisco Police Department; said resignation effective June 21, 1979, which resignation was accepted with the condition that the services of Sergeant Charles C. Gale have been unsatisfactory and that he does not resign in good standing; therefore be it

RESOLVED, that the charges of violating the Rules and Procedures of the San Francisco Police Department filed against Sergeant Charles C. Gale, be, and the same are hereby continued off calendar.

AYES: Commissioners Clark, Murphy, Toler, Siggins

NOT VOTING: Commissioner Sanchez

HEARING OF SERGEANT JOSEPH J. CUNEO, SUPPORT SERVICES BUREAU - RECORDS

The hearing of Sergeant Joseph J. Cuneo, Support Services Bureau-Records, was called, it having been set for this date. Sergeant Joseph J. Cuneo was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Commission of a Violation of a Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Commission of a Violation of a Penal law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Preserve the Peace,
Prevent Crime, Detect and Arrest
Offenders and Enforce All Criminal
Laws. (Violation of Section 2.03
of the Rules and Procedures of the
San Francisco Police Department.)

SPECIFICATION NO. 6

Commission of a Violation of Penal
Laws of the United States of America
and the State of California. (Viola-
tion of Section 2.13 of the Rules and
Procedures of the San Francisco Police
Department.)

in a properly verified complaint by Charles R. Gain,
Chief of Police of the San Francisco Police Department.

Sergeant Joseph J. Cuneo appeared in person
and was represented by Mr. Stephen Bruce Bley, Attorney
at Law.

Mr. Robert Byrne, Attorney at Law, appeared
as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Sergeant Joseph J. Cuneo entered, through
his attorney, a plea of "guilty" to all charges.

An opening statement was made by Mr. Robert
Byrne, Prosecuting Attorney.

The following-named witness was called by
the Prosecution, sworn and testified:

Sergeant Jerry D. Belfield
Intelligence Unit

The Commission took the matter under sub-
mission, and then recessed from 1923 hours to 1932
hours, after which the following resolution was adopted:

RESOLUTION NO. 455-79

DECISION - HEARING OF SERGEANT JOSEPH J. CUNEO,

SUPPORT SERVICES BUREAU - RECORDS

WHEREAS, on January 23, 1979, Charles R. Gain, Chief of Police, made and served charges against Sergeant Joseph J. Cuneo, Support Services Bureau-Records, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein the accused was, and now is, a police officer employed by the City and County of San Francisco.
- b) Between July 1, 1972 and August 31, 1973 the accused was assigned to Central Station.
- c) During said time period the accused did receive and accept monies and other things of value from other members of the San Francisco Police Department as a consideration for not informing on members of the San Francisco Police Department who were violating the law of the United States of America, to wit, Title 18, United States Code, Section 1061.
- d) As a result of said conduct of the accused he was charged by the United States Attorney with a violation of Title 18, United States Code, Section 873, which provides:

"Whoever, under a threat of informing, or as a consideration for not informing, against any violation of any law of the United States, demands or receives any money or other valuable thing, shall be fined not more than \$2,000.00 or imprisoned not more than one year or both."
- e) On December 15, 1978, in the United States District Court for the Northern District of California, the accused entered a plea of guilty of said violation of Title 18, United States Code, Section 873.
- f) Said acts of the accused violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department, which states:

"2.03 - Shall at all times while on duty preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a member shall take all reasonable steps consistent with Rule 7.12 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) - (e) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) Said acts of the accused are a breach of the peace, are neglect of duty, tended to subvert the good order, efficiency and discipline of the department, reflected discredit on the department and the accused, and was prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) Each and every allegation of paragraphs (a) - (b) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated.

- b) During said time period the accused conspired with Lt. Eugene H. Del Carlo, Sergeant Charles C. Gale, Officer Albert J. O'Keefe, Officer James T. Evans, Officer William T. Wasley and Officer Arthur L. Posner to receive and accept monies and other things of value from other members of the San Francisco Police Department as a consideration for not informing on members of the San Francisco Police Department who were violating a federal law, Title 18, United States Code Section 1951.
- c) Said conspiracy is a violation of a penal law of the United States of America.
- d) Said acts of the accused violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department which states:

"2.03 - Shall at all times while on duty preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a member shall take all reasonable steps consistent with Rule 7.12 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 4

- a) Each and every allegation of paragraphs (a) - (c) of Specification No. 3 is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) Said acts of the accused are a breach of the peace, are neglect of duty, tended to subvert the good order, efficiency and discipline of the department, reflected discredit on the department and the accused, and was prejudicial to the efficiency and discipline of the department; therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 5

- a) Each and every allegation of paragraphs (a) - (b) of Specification No. 1, is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) During said time period the accused extorted sums of money, and conspired with others to extort sums of money, from businessmen located in the City and County of San Francisco under color of official right and by means of fear engendered that the accused and other members of the San Francisco Police Department would engage in acts or refrain from engaging in acts which would result in economic loss to said businessmen.
- c) Said conduct is a violation of penal laws of the State of California and of the United States of America.
- d) Said acts of the accused violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department which states:

"2.03 - Shall at all times while on duty preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a member shall take all reasonable steps consistent with Rule 7.12 to preserve the peace, prevent crime, detect and arrest offenders and enforce

all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 6

- a) Each and every allegation of paragraphs (a) - (c) of Specification No. 5 is referred to and incorporated herein by such references as if each such allegation was fully stated.
- b) Said acts of the accused are a breach of the peace, are neglect of duty, tended to subvert the good order, efficiency and discipline of the department, reflected discredit on the department and the accused, and was prejudicial to the efficiency and discipline of the department; therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 18, 1979, and that on Wednesday, July 18, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Sergeant Joseph J. Cuneo, Support Services Bureau-Records, as contained in Specification No. 1, violation of Section 2.03, Specification No. 2, violation of Section 2.13, Specification No. 3, violation of Section 2.03, Specification No. 4, violation of Section 2.13, Specification No. 5, violation of Section 2.03, Specification No. 6, violation of Section 2.13, are sustained by the evidence presented at the hearing, and that Sergeant Joseph J. Cuneo violated

the above-stated sections of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant Joseph J. Cuneo, has violated Specification No. 1, Section 2.03, Specification No. 2, Section 2.13, Specification No. 3, Section 2.03, Specification No. 4, Section 2.13, Specification No. 5, Section 2.03, and Specification No. 6, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations, Sergeant Joseph J. Cuneo, be suspended for ninety (90) calendar days without pay, commencing Thursday, July 19, 1979 at 0001 hours, and terminating Tuesday October 16, 1979 at 2400 hours.

Recess taken during the hearing of Sergeant Joseph J. Cuneo:

1923 hours to 1932 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTarrant, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NAYS: Commissioner Ciani

NOT VOTING: Commissioner Sanchez

HEARING OF POLICE OFFICER ALBERT J. O'KEEFE -
SUPPORT SERVICES BUREAU - COMMUNICATIONS

The hearing of Police Officer Albert J. O'Keefe, Support Services Bureau-Communications, was called, it having been set for this date. Police Officer Albert J. O'Keefe was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce all Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Commission of a Violation of a Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Commission of a Violation of a Penal Law of the United States of America. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Preserve the Peace, Prevent Crime, Detect and Arrest Offenders and Enforce All Criminal Laws. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Commission of a Violation of Penal Laws of the United States of America and the State of California. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Albert J. O'Keefe appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Albert J. O'Keefe entered, through his attorney, a plea of "guilty" to all charges.

An opening statement was made by Mr. Robert Byrne, Prosecuting Attorney.

The following-named witness was called by the Prosecution, sworn and testified:

Sergeant Jerry D. Belfield
Intelligence Unit

The Commission took the matter under submission, and then recessed from 1923 hours to 1932 hours, after which the following resolution was adopted:

RESOLUTION NO. 456-79

DECISION - HEARING OF POLICE OFFICER ALBERT J. O'KEEFE,
SUPPORT SERVICES BUREAU - COMMUNICATIONS

WHEREAS, on January 23, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Albert J. O'Keefe, Support Services Bureau-Communications, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein the accused was, and now is, a police officer employed by the City and County of San Francisco.
- b) Between July 1, 1972 and August 31, 1973, the accused was assigned to Central Station.
- c) During said time period the accused did receive and accept monies and other things of value from other members of the San Francisco Police Department who were violating a law of the United States of America, to wit, Title 18, United States Code, Section 1951.
- d) As a result of said conduct of the accused he was charged by the United States Attorney with a violation of

Title 18, United States Code, Section 873 which provides:

"Whoever, under a threat of informing, or as a consideration for not informing, against any violation of any law of the United States, demands or receives any money or other valuable thing, shall be fined not more than \$2,000.00 or imprisoned not more than one year or both."

- e) On December 15, 1978, in the United States District Court for the Northern District of California, the accused entered a plea of guilty of said violation of Title 18, United States Code, Section 873.
- f) Said acts of the accused violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department which states:

"2.03 - Shall at all times while on duty preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a member shall take all reasonable steps consistent with Rule 7.11 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) - (e) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) Said acts of the accused are a breach of the peace, are neglect of duty, tended to subvert the good order, efficiency and discipline of the department, reflected discredit on the department and the accused, and was prejudicial to the efficiency and discipline of the department; therefore the accused violated Section 2.13 of the

Rules and Procedures of the San Francisco Police Department which states:

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) Each and every allegation of paragraphs (a) - (b) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) During said time period the accused conspired with Lt. Eugene H. Del Carlo, Sergeant Joseph J. Cuneo, Sergeant Charles C. Gale, Officer James T. Evans, Officer William T. Wasley, and Officer Arthur L. Pomeroy, to receive and accept monies and other things of value from other members of the San Francisco Police Department as a consideration for not informing on members of the San Francisco Police Department who were violating a federal law, Title 18, United States Code, Section 1951.
- c) Said conspiracy is a violation of a penal law of the United States of America.
- d) Said acts of the accused violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department which states:

"2.03 - Shall at all times while on duty preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a

member shall take all reasonable steps consistent with Rule 7.12 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 4

- a) Each and every allegation of paragraphs (a) - (c) of Specification No. 3 is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) Said acts of the accused are a breach of the peace, are neglect of duty, tended to subvert the good order, efficiency and discipline of the department, reflected discredit on the department and the accused, and was prejudicial to the efficiency and discipline of the department; therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 5

- a) Each and every allegation of paragraphs (a) - (b) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated.
- b) During said time period the accused extorted sums of money, and conspired with others to extort sums of money, from businessmen located in the City and County

of San Francisco under color of official right and by means of fear engendered that the accused and other members of the San Francisco Police Department would engage in acts or refrain from engaging in acts which would result in economic loss to said businessmen.

- c) Said conduct is a violation of penal laws of the State of California and of the United States of America.
- d) Said acts of the accused violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department which states:

"2.03 - Shall at all times while on duty, preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a members shall take all reasonable steps consistent with Rule 7.12 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 6

- a) Each and every allegation of paragraphs (a) - (c) of Specification No. 5, is referred to an incorporated herein by such reference as if each such allegation was fully stated.
- b) Said acts of the accused are a breach of the peace, are neglect of duty, tended to subvert the good order, efficiency and discipline of the department, reflected discredit upon the department and the accused, and was prejudicial to the efficiency and discipline of the department; therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on

the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, July 18, 1979, and that on Wednesday, July 18, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Albert J. O'Keefe, Support Services Bureau-Communications, as contained in Specification No. 1, violation of Section 2.03, Specification No. 2, violation of Section 2.13, Specification No. 3, violation of Section 2.03, Specification No. 4, violation of Section 2.13, Specification No. 5, violation of Section 2.03, Specification No. 6, violation of Section 2.13, are sustained by the evidence presented at the hearing, and that Police Officer Albert J. O'Keefe violated the above-stated sections of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Albert J. O'Keefe has violated Specification No. 1, Section 2.03, Specification No. 2, Section 2.13, Specification No. 3, Section 2.03, Specification No. 4, Section 2.13, Specification No. 5, Section 2.03, and Specification No. 6, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for said violations, Police Officer Albert J. O'Keefe be suspended for ninety (90) calendar days without pay, commencing Thursday, July 19, 1979 at 0001 hours, and terminating Tuesday, October 16, 1979, at 2400 hours.

Recess taken during the hearing of Police Officer Albert J. O'Keefe:

1923 hours to 1932 hours.

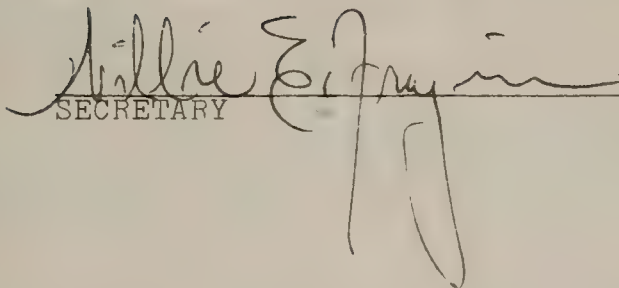
(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Murphy, Toler, Higgins

NAYS: Commissioner Cianci

ABSENT: Commissioner Sanchez

The Commission then adjourned its meeting at 1941 hours in memory of Firefighter Zeno Contreras who died in the line of duty.



SECRETARY

23 JULY 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, July 23, 1979 at 1730 hours in Special Session.

PRESENT: Commissioners Ciani, Sanchez, Toler, Siggins

ABSENT: Commissioner Murphy

OCT 19 1979

Commissioner Siggins presiding.

DOCUMENTS DEPT.
22. PUBLIC L

CONTINUATION OF THE HEARING OF POLICE OFFICER
KATHERINE ANDERSON, PARK POLICE STATION

The matter of the hearing of Police Officer Katherine Anderson, Park Police Station, was called, it having been continued from the meeting of June 27, 1979.

Police Officer Katherine Anderson appeared in person and was represented by Mr. Alice Beasley, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Defense, sworn and testified:

Patrol Special Officer Ralph Lacey
Central Police Station

Lieutenant Gerald Doane
San Rafael Police Department

Angela Blubber Blackwell, Attorney
Public Advocates

Police Officer Katherine Anderson (recalled)
Park Police Station

The following-named witnesses were called by the Prosecution, sworn and testified:

Sergeant James Hall (Rebuttal)
Northern Police Station

Sergeant Clarence Williams (Rebuttal)
Internal Affairs Bureau

Mr. Robin Carter
Richmond, California

Police Officer James Hunt
Park Police Station

The following Exhibits were entered into Evidence
by the Prosecution:

Exhibit No. 5 - Back brace - property of
Sergeant Clarence Williams,
Internal Affairs Bureau.

Exhibit No. 6 - Letter from L.S. Kimbrough,
M.D., dated June 29, 1979,
re: Clarence Williams.

Exhibit No. 7 - Declaration of Lieutenant
Michael Lennon, pertaining
to watch reports of January
1, 1979 and January 2, 1979,
relative to attendance of
Sergeant Clarence Williams.

The following Exhibits were entered into
Evidence by the Defense:

Exhibit C - Two 8-1/2" x 11" zeroxed sheets
entitled Command Post Log, list-
ing chronological times from
2200 hours to 0230 hours. Each
time indicating certain occurrences
at various locations in the Central
Police District.

Exhibit D - San Francisco Police Department
Operation Center Log, containing
times and locations of incidents,
and names of officers involved in
same.

Exhibit E - Intra-departmental memo, addressed
to Jeremiah P. Taylor, Deputy
Chief of Police, Field Operations,
from Captain Gerald D'Arcy, Central
Police Station, re: "Failure of
officers detailed to this company
to report on detail."

Exhibit F - Two sheets 8-1/2" x 11", Radio Use Log, dated Sunday, December 31, 1978.

Exhibit G - Photostatic copies of two cancelled checks; No. 6740 dated January 2, 1978, payable to Richmond Motor Parts in the amount of \$15.69, signed by Clarence Williams; No. 6741, dated January 2, 1978, payable to "Atlas" in the amount of \$10.00 signed by Jacqueline Williams.

Exhibit H - Fixed Post Assignments, New Year's Eve, December 31, 1978, from Captain Cornelius P. Murphy.

The Commission took the matter under submission, and then recessed from 2147 hours to 2200 hours, after which the following resolution was adopted:

RESOLUTION NO. 485-79

DECISION - HEARING OF POLICE OFFICER KATHERINE ANDERSON, PARK POLICE STATION

WHEREAS, on February 17, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Katherine Anderson, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein the accused was, and now is a police officer employed by the City and County of San Francisco.
- b) On December 31, 1978, the accused was ordered by her superior officer to report to Central Station at 2000 hours;
- c) The accused failed to report as ordered, but instead arrived late;
- d) At approximately 2030 hours on December 31, 1978, the accused was lawfully ordered by a superior officer, Sergeant James Hall, Star No. 892, to direct traffic at fixed post 3, the intersection of Vallejo and Columbus Streets, in the City and County of San Francisco, between the hours of 2230 on December

31, 1978 and 0130 hours on January 1, 1979;

- e) The accused disobeyed said order in that she was not present at her said assignment for much or all of the period between 2230 hours on December 31, 1978, and 0130 hours on January 1, 1979;
- f) Therefore, the accused violated Section 2.45 of the Rules and Procedures of the San Francisco Police Department, which states in pertinent part:

"(A member) shall strictly obey and promptly execute the lawful orders of his superior officers. In case of conflict of orders from superior officers, he shall respectfully call the attention of the superior officer giving the last order to such conflict, should the latter not change his order it shall be obeyed and the member shall not be held responsible for disobedience of any former order in obeying said last order."

SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) - (c) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated;
- b) Therefore, the accused violated Section 9.29 of the Rules and Procedures of the San Francisco Police Department which states:

"(A member) shall not leave his beat, detail or assignment, EXCEPT in performance of police duty, orders or permission of a superior, or absolute personal necessity."

SPECIFICATION NO. 3

- a) Each and every allegation in paragraphs (a) - (c) of Specification No. 1, is referred to and incorporated herein by such reference as if each such allegation was fully stated;

- b) Said conduct of the accused constituted neglect of duty and misconduct, and tended to subvert the good order, efficiency and discipline of the department, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 4

- a) Each and every allegation in paragraphs (a) - (e) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated;
- b) Subsequently, an investigator of the Internal Affairs Bureau was assigned by lawful authority to investigate the aforesaid conduct of the accused;
- c) In the course of said investigation, the accused was interviewed by said investigators; the accused stated:

That she arrived at the detail at 2225 hours, approximately five minutes prior to Officer Edward O'Toole's arrival; that Sgt. Hall arrived a few minutes after Officer O'Toole arrived at that intersection;

That two or three other officers joined Sgt. Hall and Officer O'Toole for only a short while; that Sgt. Hall and Officer O'Toole directed traffic alone;

That she directed traffic on the northeast corner of Columbus and Vallejo;

That she saw Officers Alsobrook, Lewis and other members of her squad returning to Central Station at the end of the detail; that they walked west on Broadway, north on Stockton to Vallejo Street;

That she never heard Communications attempting to contact her on city-wide one;

That she may have possibly seen a priest in front of the church, but that she could not describe or identify him;

That she had coffee at the Caffe Roma after midnight;

That the barricades were removed and traffic was allowed to flow at approximately 0200 hours;

That she did not know where the command post was located while on her detail;

That she did not tell Sgt. Hall that she had a civilian coat over her uniform because she was afraid of the crowd; and

That she left the detail without checking off because a plainclothes officer had told her that she could leave when the automobile traffic was allowed to return to normal flow.

- d) Each and every such statement was untrue;
- e) Each untruthful statement constituted a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

"(A member) shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing

in the foregoing matters shall
contain the truth without evasion."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, May 23, 1979, Wednesday, June 6, 1979, Wednesday, June 20, 1979, Wednesday, June 27, 1979, and Monday, July 23, 1979, and that on Monday, July 23, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Katherine Anderson, Park Police Station, as contained in Specification No. 1, Section 2.45, Specification No. 2, Section 9.29, Specification No. 3, Section 2.13, and Specification No. 4, Section 2.49, are not sustained by the evidence presented at the hearing, and that Police Officer Katherine Anderson has not violated the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that the above-stated charges made and filed against Police Officer Katherine Anderson are not sustained; and be it further

RESOLVED, that it is the order of the Police Commission that said charges made and filed against Police Officer Katherine Anderson, be, and the same hereby dismissed.

Recesses taken during the hearing
of Police Officer Katherine Anderson:

1840 hours to 1850 hours
2017 hours to 2021 hours
2147 hours to 2200 hours

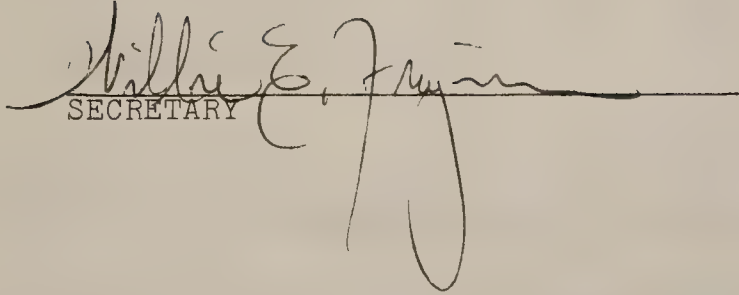
(The entire proceedings were taken in
shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Grant, Sanchez, Toler

NAYS: Commissioner Shubin

NOT VOTING: Commissioner Murphy

The Commission then adjourned its
meeting at 2203 hours.


SECRETARY

25 JULY 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, July 25, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

OCT 23 1979

Commissioner Siggins presiding.

DOCUMENTS DEPT
OCT 23 1979

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

580 BEACH STREET - HOWARD JOHNSON'S MOTOR LODGE

- a) At 580 Beach Street, install a 68' white zone, extending from 22' to 90' west of east building line.
- b) Remove meters #BCH 528, 526, 524.

1400 JUDAH - WAH NEI SCHOOL (CALVARY METHODIST CHURCH)

- a) At 1400 Judah Street, install a 44' white zone, extending from east property line 44' west of same.

640 POLK STREET - AMBER APARTMENTS - DENIED

- a) At 640 Polk Street, install a 22' white zone, extending from 10' to 23' south of north property line. DENIED.

1154-1158 HOWARD STREET - FIBREC INC.

- a) At 1154-1158 Howard Street, change existing 38' yellow zone 38' east of driveway to 38' green zone 38' east of driveway.

648 STANYAN STREET - SIMPLEX CITY SYSTEM

- a) At 648 Stanyan Street, install a 22' green zone, extending from west building line 22' east of same.

444 POTRERO STREET - FIELD IRON WORKERS APPRENTICE-SHIP & TRAINING

- a) At 444 Potrero Street, install a 34' green zone, extending from 1' south of north property line to 35' south of north property line.

400 PARNASSUS - U.C. HOSPITAL

- a) At 400 Parnassus Street, install a 22' blue zone, extending from west end of parking bay 22' east of same.
- b) Remove meter 382.

400 PARNASSUS STREET - U.C. HOSPITAL

- a) At 400 Parnassus Street, install a 22' blue zone, extending from 28' to 50' east of west end of parking bay.
- b) Remove meter 380.

400 PARNASSUS STREET - U. C. HOSPITAL

- a) At 400 Parnassus Street, install a 22' white zone, extending from 50' to 72' east of west end of parking bay.
- b) Remove existing 37' of white zone.

400 PARNASSUS STREET - U.C. HOSPITAL

- a) At 400 Parnassus Street, revoke existing 22' blue zone, extending from 20' to 42' east of Meter PRN #380.

2330 TURK STREET - SISTERS OF THE PRESENTATION

- a) At 2330 Turk Street, revoke existing 15' red zone, extending from 96' to 111' west of Masonic Avenue.

2330 TURK STREET - SISTERS OF THE PRESENTATION

- a) At 2330 Turk Street, revoke existing 21' yellow zone, extending from 75' to 96' west of Masonic Avenue.

2050 DIVISADERO STREET - S.F.P.D.

- a) At 2050 Divisadero Street, revoke existing 24' yellow zone, extending from 24' north of the south line of the building.

251-18th AVENUE - SUTRO ANNEX SCHOOL

- a) At 251-18th Avenue, revoke existing 100' white zone, extending from 17' to 117' south of north property line.

2229 UNION STREET - UNION STREET INN - DENIED

- a) At 2229 Union Street, install a 22' white zone, extending from 17' to 39' east of west property line. DENIED.
- b) At 2229 Union Street, revoke existing 25' Special Truck Loading Zone, extending from 17' to 39' east of west property line. DENIED.
- c) Remove meter 2213. DENIED.

124 ELLIS STREET - CHEZ LEON

- a) At 124 Ellis Street, install a 22' white zone, extending from 22' east of west property line.
- b) Meter ELL 110 to be removed.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 257 feet of yellow, white, blue and red zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 457-79

JOHN HENRY CARLSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John Henry Carlson against the City and County of San Francisco in the sum of \$25.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 458-79

ANDREA CROSS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrea Cross against the City and County of San Francisco in the sum of \$119.47 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 30, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 459-79

DAVID J. PLACEK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David J. Placek against the City and County of San Francisco in the sum of \$30.25 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 12, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 460-79

CAROL N. SHAPIRO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Carol N. Shapiro against the City and County of San Francisco in the sum of \$29.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: April 21, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 461-79

JOSEPH TYSON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Joseph Tyson against the City and County of San Francisco in the sum of \$33.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: December 7, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 462-79

THERESE ALICE LAMBRO AND
GRANGE INSURANCE ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thereese Alice Lambro and Grange Insurance Association against the City and County of San Francisco in the sum of \$601.48 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: March 27, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 463-79

MRS. LOUIE SING NUEY LEW

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mrs. Louie Sing Nuey Lew against the City and County of San Francisco in the sum of \$65.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 13, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 464-79

AUTHORIZING ATTENDANCE OF SERGEANT BILL R. TAYLOR, INTERNAL AFFAIRS BUREAU, AT THE POLYGRAPH TRAINING SEMINAR AT SAN DIEGO, CALIFORNIA, FROM AUGUST 5, 1979 TO AUGUST 10, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Bill R. Taylor, Internal Affairs Bureau, be detailed to attend the Polygraph Training Seminar at San Diego, California, from August 5, 1979 to August 10, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Taylor in a sum not to exceed \$380.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 465-79

AUTHORIZING ATTENDANCE OF ASSISTANT CRIMINALIST BRUCE FUKAYAMA, SUPPORT SERVICES BUREAU - CRIME LABORATORY, AT THE SOIL MICROSCOPY WORKSHOP AT LOS ANGELES, CALIFORNIA, FROM JULY 30, 1979 TO AUGUST 1, 1979, INCLUSIVE.

RESOLVED, that the recommendation of

the Chief of Police that Assistant Criminalist Bruce Fukayama, Support Services Bureau-Crime Laboratory, be detailed to attend the Soil Microscopy Workshop at Los Angeles, California, from July 30, 1979 to August 1, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Criminalist Bruce Fukayama, in a sum not to exceed \$303.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 466-79

AUTHORIZING ATTENDANCE OF ALL POLICE OFFICERS NAMED ON THE CURRENT ELIGIBILITY LIST FOR SERGEANTS, AT THE CITY COLLEGE OF SAN FRANCISCO, THE FIRST COURSE, TO ACCOMMODATE TWENTY-FIVE OFFICERS IN ORDER OF RANK ON THE ELIGIBILITY LIST, WILL BE CONDUCTED FROM AUGUST 20, 1979 TO AUGUST 31, 1979, INCLUSIVE, SUBSEQUENT COURSES WILL BE SCHEDULED ONCE A MONTH FROM DECEMBER, 1979 TO OCTOBER, 1980.

RESOLVED, that the recommendation of the Chief of Police that all Police Officers named on the current eligibility list for Sergeants, be detailed to attend eleven supervisory courses at City College of San Francisco. The first course, to accommodate twenty-five officers in order of rank on the eligibility list, will be conducted from August 20, 1979 to August 31, 1979, inclusive. Subsequent courses will be scheduled once a month from December, 1979 to October, 1980, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by all Police Officers named on the current eligibility list for Sergeants, in a sum not to exceed \$7,500.00 per class, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 467-79

AUTHORIZING ATTENDANCE OF LIEUTENANTS KEVIN CONROY, PARK POLICE STATION, AND TIMOTHY THORSEN, CRIME PREVENTION AND EDUCATION UNIT, AT THE MIDDLE MANAGEMENT

TRAINING COURSE AT COSTA MESA, CALIFORNIA, FROM
AUGUST 20, 1979 TO AUGUST 31, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants Kevin Conroy, Park Police Station, and Timothy Thorsen, Crime Prevention and Education Unit, be detailed to attend the Middle Management Training Course at Costa Mesa, California, from August 20, 1979 to August 31, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenants Conroy and Thorsen in a sum not to exceed \$636.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commissioners, having received, amended and returned copies of the minutes of the meeting of May 14, 1979, reading of the minutes was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Mr. President."

Commissioner Siggins: "Isn't there something under the Chief's....."

Chief Gain: "I submitted a letter to you on the Department's Training, a Status Report, just reflecting a lot of training during the last fiscal year."

Commissioner Ciani: "Is that a summary of the volume on training which was delivered to us, this training thing?"

Chief Gain: "Yes, and there was a letter too."

Commissioner Murphy: "Do you use that for any other purpose like LEAA or POST. Is it used for organizing or just a report back?"

Chief Gain: "It's just a report so that the Commission will know and whoever else may be interested in this type of thing."

Commissioner Murphy: "Well, maybe I should ask this, will it be useful in getting further funding?"

Chief Gain: "Well, POST receives this information in another form of a report."

Commissioner Ciani: "This brings to mind the Board of Supervisors inquiry. Did we ever get a report of what happened at the Board?"

Commissioner Murphy: "Yes, the Committee moved to have it sent to the full Board two weeks hence with the recommendation that the Police Commission was doing a good job. Thanks to the letter that was prepared by the Department, I was able to testify in glowing terms."

Commissioner Ciani: "Well, will we get a letter for our own personnel files? I would like to have something to show."

Chief Gain: "If I may, I was there observing Commissioner and she did an excellent job. I was impressed that with all the preparation staff did and the preparation Commissioner Murphy did, and particularly because we had received a request for further information and whatever, that it was a relatively perfunctorily type of hearing, very short, one member of the Committee walked out....."

Commissioner Murphy: "And another one came in late, he was the one that made the motion that we were doing a fine job. I would be very interested in hearing of what some of the other Commission reports are."

RECEIPT OF PROPOSED GENERAL ORDER REGARDING CHANGE
OF DISTRICT STATION BOUNDARIES, CENTRAL/NORTHERN.
(COPIES SENT TO EMPLOYEE ORGANIZATIONS.)

Commissioner Siggins: "I suppose we would like to have the Department's view on that...I mean the Employee Organizations view on it so if they have any questions on it we can schedule it for later, but note that we sent out a letter on July 16th."

Commissioner Murphy: "I must say that I think this is long overdue because it's practically impossible to get from this square that's marked off here, Leavenworth and Van Ness over to Columbus and around in there. It's just a bunch of hills there. I think it is very smart to do this. How much of a caseload would this add to Northern? It's not a heavily loaded crime area, is it Chief?"

Chief Gain: "Well, we would adjust manpower for that for which we have already taken into consideration so that won't amount to anything. The reason we undertook this is because a business person on Polk Street came to us about the problem and we conducted a study and we concurred. So when this is held for a Public Hearing, on that particular date, there will probably be some business persons here to support it."

Commissioner Murphy: "One of the candidates for Supervisor in District 2 in the last election made a big point because he has a business around lower Polk. His campaign issues was it was ridiculous to have Central coming over there when Northern was so much closer and more available."

Commissioner Siggins: "Okay."

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER
REGARDING TAXICAB REGULATIONS - CONTINUED FOR
ONE (1) WEEK.

Commissioner Siggins: "Mr. Byrnes will speak to that, I take it, is that right?"

Robert Byrne: "I have seen the proposed regulations, I believe that they have been put in General Order form."

Commissioner Ciani: "Do we have no regulations at present?"

Robert Byrne: "There are no regulations by the Chief of Police."

Commissioner Ciani: "So there is nothing to compare these to as far as the present."

Commissioner Murphy: "Does it mean that we will have additional hearings, is that correct?"

Robert Byrne: "I believe since this is in General Order format, there will have to be Public Hearings on it."

Commissioner Murphy: "Well then, I would like to suggest at this time, or I guess maybe even move, but I believe that on page 3, item #2 at the top of the page, the sentence, 'this section shall not be construed to require a radio dispatching system,' be deleted and in its place as item #3, that we place, 'every taxicab operating after _____ under a permit granted by the Police Commission shall be equipped and operated so that it can be dispatched by a two-way radio communication in response to a telephone, or other request for service, by a prospective passenger,' and then item #3 would then become item #4."

Robert Byrne: "I suggest that rather than renumbering everything, we just make it Section #3, subsection (a) and Subsection 2 and that way we won't have to go renumbering them."

Commissioner Ciani: "Is there any other city in which all taxis are required to have radio dispatch systems?"

Robert Byrne: "I don't know the answer to that."

Commissioner Ciani: "Well, I suppose we could leave that for debate at the hearing, but it seems to me that the whole trend towards independent owner-operators goes the other way. We would have to require that they pool together to make it efficient."

Commissioner Toler: "Are we thinking in terms of any new permits being issued....or are we calling back and saying all of those who doesn't have them now must get them?"

Commissioner Ciani: "Well, could it be retroactive?"

Robert Byrne: "Yes."

Commissioner Siggins: "Yes, with a prospective date by which they have to bring in their equipment."

Commissioner Murphy: "The reason I want this is because if you really are concerned about the convenience and necessity of having permits for the residents of the city, this is actually imperative. It just doesn't do any good to have a cab floating around the hotels and down at the Airport, and so on, for people who live even a mile from downtown. You simply can not get a cab. If you are in the Financial District at 5 o'clock, yes, sure you can, maybe. It's very difficult if you are handicapped, or old, or in anyway disabled, it makes it much more difficult to get a cab. Now the big companies that have radios are fine, but it seems to me then you are putting a burden on them that shouldn't be, when there are so many cabs that could

be available if they had radio service. A telephone just doesn't do the job."

Commissioner Siggins: "Well, it still comes within the job of the Commission to assure prompt, courteous and honest service. That's why we are adopting the regulations. Is this in the form of a motion?"

Commissioner Murphy: "I don't know if you need a motion, but I would like the regulation to include what we have proposed to be heard and discussed. Is that right Chief?"

Chief Gain: "Yes, if I may comment, the Prop K legislation requires that the Chief of Police adopt regulations. These are those regulations that the Chief of Police has adopted after Public Hearings. I would suggest then that the wording should be that it's proposed that this change will be made subject to discussion and final determination at the Public Hearing, the date of which has to be set. I am suggesting that because the remainder of these regulations have already been discussed with the Cab Industry, and I think that might make it easier to get the rest of them adopted, and then just have this as a sole issue. The Commission does not have to subject itself to extensive Public Hearings on the regulations as they are now framed, that has already been done. So it will be something like that. And then what will happen is that....."

Commissioner Murphy: "I want to be sure it happens, that is the thing. I don't want it to be left out in left field some way or another."

Chief Gain: "That should be the sole topic of discussion at the Public Hearing, just as an addition and not have to re-hash all of the other things."

Commissioner Murphy: "And you will call Mr. Felhauer of the Commission on Aging and make the same comment, and make the same comment to Rose Resnick, and make the same comment on how they will be able to get these cabs."

Commissioner Cian: "I would be in favor of having this put over for discussion, but I am not sure that it is necessary that every taxi have a radio; we know that the vast majority have radios now."

Commissioner Murphy: "No they don't."

Commissioner Ciani: "Well they do, it was more than 2/3rds."

Commissioner Murphy: "An awful lot of those that don't have."

Commissioner Ciani: "Well, but you know a lot of the public doesn't call taxis and you have to recognize differing needs of different segments of the Community. I am not sure that there isn't something to be said for having some taxis without radios, but I would want to know what the economics are and how it would actually effect those drivers who are now independent."

Chief Gain: "May I suggest this that we continue this for one week. I think perhaps the best way to do this is that I will amend the regulations myself. They are Chief of Police regulations. I can put something in here, and amend it, and submit it to the Commission. I think that would be the neatest way to do it, then it's the Chief's regulations. That's the responsibility of the Chief. Then at the Public Hearing which takes place, that could be a topic of discussion. If the Commission then desires to leave it in, leave it in, if not, take it out or amend it."

Commissioner Siggins: "There are some little business men operating without a radio. And if he puts in the radio or goes through the expenses, or whatever it is to put one in, Rose Resnick or Mr. Felhauer are never going to call him or those groups are never going to call him. He might never get a phone call. They are still going to call the 1, 2, 3, or 4 large companies that do have that service. I don't know, I mean I would like to analyze it."

Commissioner Murphy: "Well, I think there are many pros and cons. I agree with that but I think if you really want to help the residents of San Francisco, not the tourist, not the Airport business, that's taken care of, that's easy."

Commissioner Siggins: "There are a number of companies that have radios that don't even list their number in the phone book."

Commissioner Murphy: "I know, but this takes care of that."

Robert Byrne: "May I inquire if the Chief is going to do it in that format so that we won't have to decide what is going to go in the blank as far as the time frames?"

Commissioner Siggins: "Let's put it over a week."

Chief Gain: "Put it over a week and we will figure that out."

Commissioner Siggins: "Recently on television and the radio, I mean in the newspaper, there was the problem of the female taxi cab driver who was fired because wh had gotten involved in some kind of violence. She was beaten up and raped, well she said she was, and then the boss fired her. He said she should not be going picking up...in effect it was against his rule to be picking up somebody at the Greyhound Bus Depot. I question whether or not that rule fits in with our regulations. They have to pick up anybody that's around, they can't refuse that type of service."

Chief Gain: "Let us look into that."

Commissioner Siggins: "Okay. Next item."

RESOLUTION NO. 468-79

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER WHICH SETS FORTH THE OPERATING PROCEDURES FOR THE EXPLOSIVE ORDNANCE DISPOSAL UNIT OF THE CRIME SPECIFIC DIVISION.

RESOLVED, that the Police Commission hereby approves the Division Special Order which sets forth the operating procedures of the Explosive Ordnance Disposal Unit.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 469-79

POLICE OFFICER TEDDY QUERUBIN, PARK POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Teddy Querubin, Park Police Station, as follows:

SPECIFICATION NO. 1

Failure to Maintain Weight Standards.
(Violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Police Officer Teddy Querubin, Park Police Station, be, and the same is hereby set for Wednesday, August 15, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 470-79

DATE TO BE SET FOR HEARING OF RECRUIT OFFICER DONALD JONES.

WHEREAS, the hearing relative to the termination of Recruit Officer Donald Jones, was called, it having been set for this date.

WHEREAS, it was requested by Mr. Lawrence Wilson, Attorney, Legal Office, that the hearing of Recruit Officer Donald Jones be set for Wednesday, August 15, 1979; therefore be it

RESOLVED, that the hearing relative to the termination of Recruit Officer Donald Jones is set for Wednesday, August 15, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 471-79

DATE TO BE SET FOR HEARING OF RECRUIT OFFICER JAMES K. MAH

WHEREAS, the hearing relative to the termination of Recruit Officer James K. Mah, was called, it having been set for this date.

WHEREAS, it was requested by Mr. Lawrence Wilson, Attorney, Legal Office, that the hearing of Recruit Officer James K. Mah be set for Wednesday, August 8, 1979; therefore be it

RESOLVED, that the hearing relative to the termination of Recruit Officer James K. Mah is set for Wednesday, August 8, 1979, at 5:30 p.m., in Room

551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 472-79

DATE TO BE SET FOR HEARING OF RECRUIT OFFICER
VANDY PHILLIPS

WHEREAS, the hearing relative to the termination of Recruit Officer Vandy Phillips, was called, it having been set for this date.

WHEREAS, it was requested by Mr. Lawrence Wilson, Attorney, Legal Office, that the hearing of Recruit Officer Vandy Phillips be set for Wednesday, August 15, 1979; therefore be it

RESOLVED, that the hearing relative to the termination of Recruit Officer Vandy Phillips is set for Wednesday, August 15, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 473-79

SERGEANT JAMES WERTZ - COMMUNICATIONS DIVISION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Sergeant James Wertz, Communications Division, as follows:

SPECIFICATION NO. 1

Intoxication on Duty. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct Reflecting Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of

the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Truthfully Answer. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

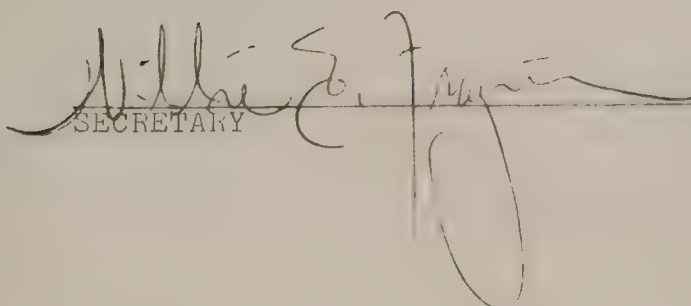
Failure to Submit a Report. (Violation of Section 2.15 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the hearing before the Police Commission on charges filed against Sergeant James Wertz, Communications Division, be, and the same is hereby set for Wednesday, August 1, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

The Commission then adjourned its meeting at 1835 hours.



SECRETARY

79
1 AUGUST 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 1, 1979, at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Sanchez, Toler, Siggins

ABSENT: Commissioner Murphy

OCT 23 1979

Commissioner Siggins presiding.

DOCUMENTS DEPT.
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PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Siggins: "This portion of the meeting will be turned over to Commissioner Sanchez."

Commissioner Sanchez: "Thank you very much Mr. President, I would just like to make a few comments; First of all, on behalf of the San Francisco Police Commission and the Awards Committee, which I served as one member, we wish to congratulate the men and women in the Department who were nominated by their captains for these various recommendations. As we said, initially the process is a very trying process and a very critical review of the lines of duty and proper procedures being followed within the context of the San Francisco Police Department. As a result of this we have a number of men and women who have the Bronze Medal and Silver, and we have two young men in particular this evening who received the nomination of Gold which we will discuss later on. Let me just say that all of the men and women who served in this classification are to be congratulated, especially their families for their perserverance in supporting the men and women in the department. All of these men have placed their lives on the line above and beyond the call of duty and particularly in reference to the Gold Medal, which we will talk about, as I said, later. So on behalf of the Commission and the Awards Committee we would like to congratulate all of you for coming this evening and it's a very small token as far as our awards to you, but believe me it speaks for all of the San Franciscans throughout the City for you who constantly are, day to day, putting your necks on the line to protect the citizens of the City and County of San Francisco. So we congratulate you very much. I think we can now proceed Lieutenant with the operation.

The following-named members were called and presented

Medals of Valor Awards as follows:

Officer Edgar J. Callejas.....Silver Medal
Officer Gary J. Constantine.....Silver Medal
Officer Kevin M. Dillon.....Silver Medal
Officer Lawrence A. Gray.....Silver Medal
Officer Dennis A. Gustafson.....Silver Medal
Officer Orin B. Hargraves.....Silver Medal
Officer James E. Hickson.....Silver Medal
Officer Dennis G. McClellan.....Silver Star
Officer Alan F. McPheters.....Silver Medal
Officer Steve R. Marquez.....Silver Medal
Officer Donald N. Moorehouse.....Silver Medal
Officer Michael D. O'Brien.....Silver Medal
Sergeant Donald J. Lando.....Bronze Medal
Sergeant Mario Tovani.....Bronze Medal
Officer Peter A. Balestreri.....Bronze Medal
Officer Martin J. Barbero.....Bronze Medal
Officer Anthony J. Camilleri.....Bronze Star
Officer David L. Fontana.....Bronze Medal
Officer James P. Gallagher.....Bronze Medal
Officer James F. Hunt.....Bronze Medal
Officer William J. Kelly.....Bronze Medal
Officer Michael B. Slade.....Bronze Medal
Officer Allan C. Duncan.....Gold Medal
Officer Daniel A. McDonagh.....Gold Medal

Commissioner Sanchez: "Again, on behalf of the Awards Committee this was a unanimous decision and the Police Commission reviewed it and unanimously voted a full months salary for this Gold Medal on behalf of both men. It's a small token of our gratitude for our men and women within the Department who day to day take key risk to insure public safety and congratulations to both of you, both people who were burned were placed in the Burn Unit of San Francisco General and are recuperating.

It happened over a year ago and we thank both of you men for putting your lives above everything else. Congratulations."

Commissioner Siggins: "Thanks very much Commissioner Sanchez. We shall now proceed with the more mundane portions of the agenda."

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

766 VALENCIA STREET - VENUS DE MILO ANTIQUES-
INTERNATIONAL MOVING-ANTIQUES N'THINGS

- a) At 766 Valencia Street, install a 22' yellow zone, extending from 22' north of south property line.

2424 LOMBARD STREET - SPERRY'S LIQUOR

- a) At 2424 Lombard Street, install a 22' yellow zone, extending from west property line 22' east of same.
- b) Remove meter #2412.

2436 & 2438 CLEMENT STREET - DR. WARK MEDICAL
OFFICE & COURTYARD RESTAURANT -
(A) DENIED (B) GRANTED

- a) At 2436 Clement Street, install a 25' yellow zone, extending from the east property line 25' west at 2436 Clement Street. DENIED
- b) At 2438 Clement Street, install a 25' white zone, extending from the west property line 25' east at 2438 Clement Street. GRANTED.

201 FILBERT STREET - KING'S ANTIQUE - DENIED

- a) At 201 Filbert Street, revoke existing 33' yellow zone, extending 33' west of east property line. DENIED.

- b) At 201 Filbert Street, install a 33' green zone, extending 33' west of east property line. DENIED.

1255 SANSOME STREET - KING'S ANTIQUE

- a) At 1255 Sansome Street, revoke existing 24' yellow zone, extending from 12' to 36' north of south property line.
- b) At 1255 Sansome Street, install 24' green zone, extending from 12' to 36' north of south property line.

2 - 10 GOLDEN GATE AVENUE - GOLDEN GATE THEATER

- a) At 2 - 10 Golden Gate Avenue, revoke existing 39' white zone, extending from 21' to 60' west of Taylor Street.

1 - 9 GOLDEN GATE AVENUE - GOLDEN GATE THEATER

- a) At 1 - 9 Golden Gate Avenue, revoke existing 24' white zone, extending from 11' to 35' north of Golden Gate Avenue.

59 - 30th STREET - S.F.P.D.

- a) At 59-30th Street, revoke existing 36' yellow zone, extending from 6' to 42' east of San Jose Avenue.

1660 HAIGHT STREET - S.F.P.D.

- a) At 1660 Haight Street, revoke existing 36' yellow zone, extending between cross-walk.

873 SUTTER STREET - SUNDERHAUS AND LEIGH PROPERTIES -
DENIED

- a) At 873 Sutter Street, install a 25' green zone, extending from east property line 25' west of same. DENIED.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 159 feet of yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Captain John I. Kannisto, Traffic Bureau, for service, effective July 7, 1979.
- b) Sergeant William B. Navin, Ingleside Station, for service, effective July 4, 1979.

The communications were ordered filed.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 474-79

ROBERT E. HEILIG, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Robert E. Heilig, Jr., and his attorney in the sum of \$1,500.00 in Superior Court Action No. 743-271 entitled "Robert E. Heilig, Jr. and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 1, 1978

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 475-79

AMENDING RESOLUTION NO. 199-79 (BY CHANGING DATE OF ATTENDANCE FROM JUNE 25, 1979 TO JUNE 27, 1979, TO NEW DATES OF AUGUST 27, 1979 TO AUGUST 31, 1979, INCLUSIVE.) TO A NARCOTIC COMMANDERS' TRAINING COURSE.

AUTHORIZING ATTENDANCE OF LIEUTENANT WILLIS CASEY, VICE CONTROL DIVISION, AT THE NARCOTIC COMMANDERS' TRAINING COURSE AT SACRAMENTO, CALIFORNIA, FROM AUGUST 27, 1979 TO AUGUST 31, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Willis Casey, Vice Control Division, be detailed to attend the Narcotic Commanders' Training Course at Sacramento, California, from August 27, 1979 to August 31, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Casey, in a sum not to exceed \$172.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 476-79

AUTHORIZING ATTENDANCE OF DR. MIMI SILBERT, TRAINING CONSULTANT, LIEUTENANT RICHARD D. KLAPP AND SERGEANT MICHAEL S. HEBEL, PERSONNEL AND TRAINING, AT THE BASIC COURSE REVISION CONSORTIUM WORKSHOP AT SAN DIEGO, CALIFORNIA, FROM AUGUST 15, 1979 TO AUGUST 16, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Dr. Mimi Silbert, Training Consultant, Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, be detailed to attend the Basic Course Revision Consortium Workshop at San Diego, California, from August 15, 1979 to August 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Dr. Mimi Silbert, Lieutenant Klapp and Sergeant Hebel, in a sum not to exceed \$182.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 477-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Gregory Corrales)	\$314.00	(At the Informant
Vice Crimes-Narcotics)		(Development and
		(Maintenance Course
		(at Riverside, Calif-
		(ornia, from July 16,
		(1979 to July 20, 1979,
		(inclusive.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 478-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Police Officer Joseph Currie	)	\$84.00	(At the Self
Park Police Station	)	each	(Defense and
	)		(Arrest Tech-
Police Officer Michael Chan	)		(niques Instruc-
Personnel & Training	)		(tors' Course at
	)		(Oakland, Calif-
Police Officer Dale Boyd	)		(ornia, from July
Personnel & Training	)		(9, 1979 to July
	)		(20, 1979, in-
Police Officer Daniel Hampton	)		(clusive.
Crimes Specific Task Force)		
)		
Police Officer Catherine Nelson)			
Vice Crimes Division)		

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

The Commissioners having received, amended and returned copies of the minutes of the meetings of June 4, 1979, June 11, 1979, June 13, 1979, June 20, 1979, and June 27, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Mr. President, members of the Commission."

Commissioner Sanchez: "I would like to ask if I might, I was wondering if perhaps at the next meeting of maybe on the 15th, if it is possible to have sort of a status report on the utilization of the scooters, bikes, or whatever we call them, vespas, especially in the parks and recreation areas where they were used prior to the summer, pointing out any need, you know, if we are applying supportive service, etcetera, to the Park areas and to get any feedback to support an evaluation to see if we could shore it up any better, or perhaps we don't need it. There was a great deal of discussion before and if we just had a brief summation of, basically, if we are utilizing those supportive services for the parks during the summer."

Chief Gain: "We will have a report for you."

Commissioner Sanchez: "And also if I could add a footnote if we could have the same thing, I guess, on the status of Candlestick Park, too. I notice that evidently there was some discussion on that. I know there were meetings previously and there was commitments to provide for whatever type of visibility we could do there and I wonder if we might also have a report given the latest comments by some of the vendors and/or same from the Muni, etc., etc., etc."

Chief Gain: "There was a meeting on that Candlestick problem today, so we will give a status report on that too on the 15th."

RESOLUTION NO. 479-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO REFLECT
THE REQUIRED INCREASED MANDATORY FRINGE BENEFITS
FOR FISCAL YEAR 1979-80.

RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation which will increase Mandatory Fringe Benefits for the 1979-80 Fiscal Year in the amount of \$5,001,702.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 480-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO RECLASSIFY
VARIOUS NON-SWORN POSITIONS.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation which will reclassify one 1458 Legal Stenographer to one 1460 Senior Legal Stenographer, and one 8174 Attorney to one 8176 Trial Attorney and two 8213 Police Service Aides to two 7410 Automotive Workers and one 8217 Station Officer to one 7410 Automotive Worker. All position reclassifications to be effective September 26, 1979.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 481-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO RECLASSIFY
ONE VACANT POSITION OF Q80 CAPTAIN TO ONE POSITION OF
0488 COMMANDER.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation which will reclassify one vacant position of Q80 Captain to one position of 0488 Commander. The classification is to become effective September 26, 1979.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RECEIPT OF PROPOSED GENERAL ORDER ON SEXUAL ASSAULT
CASES. (COPIES SENT TO EMPLOYEE ORGANIZATIONS) -
CONTINUED FOR TWO (2) WEEKS.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER ON
PRISONER PICKUP

Mr. Bob Barry of the San Francisco Police Officers' Association, appeared at the meeting in regards to this item and stated that he had submitted a letter to the Commission requesting to Meet and Confer. As the letter had not been received by the Commission Office, the matter was placed on the Calendar for possible adoption. However, at the request of Mr. Barry, the matter was taken off calendar to allow Department Staff and San Francisco Police Officers' Association Staff to Meet and Confer.

RESOLUTION NO. 482-79

REQUESTING APPROVAL ON PROPOSED GENERAL ORDER GOVERNING
LONG DISTANCE TELEPHONE USAGE.

RESOLVED, that the Police Commission hereby adopts the Proposed General Order regarding Long Distance Telephone Usage.

(Copy on file in the Police Commission Office.)

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER REGARD-
ING TAXICAB REGULATIONS. (CONTINUED FROM THE MEETING
OF JULY 25, 1979)

Chief Gain: "One Commissioner had discussed, and it was not approved by the Commission as a whole, adding a requirement that all taxicabs have two way radios. In a letter which I submitted to the Commission I stated that I don't feel the requirement is realistic because 83%, 594 out of 711 of the cabs operating in San Francisco, have such radio equipment and it would just seem to me that we should not include that requirement in the regulations at this time."

Commissioner Ciani: "Were we going to have public hearings on these?"

Chief Gain: "Well, another point I wanted to.... in the last paragraph of the letter I stated, 'I request the regulations be scheduled for hearing on August 22nd.' "

Commissioner Siggins: "I don't think that's a good idea."

Chief Gain: "I would like to comment about that if I may. I have a change of feeling about that if I may express it. That we had a Chief's hearing conducted in regard to the previous draft of regulations, I think there was two hearings, where notices were sent out, persons attended, and then input was given based upon that. There was some re-draft and then there was a meeting with about 15 representatives and they made suggestions and we incorporated some and told them we are taking others under submission. So then I feel there has been adequate hearings on the regulations. The legislation did not call for those hearings to be conducted. We thought that was fair. I would suggest at this point that if it is desirable to have any further hearings that they take place at staff level. That is, be Chief's Hearings rather than Commission Hearings.

May I recommend that the Commission continue this for one week to go thoroughly over each provision to make sure that they agree, because although that legislation vest in the Chief of Police, the authority and responsibility for promulgating regulations, it's the Commission, which if there is a violation, has the authority to apply sanctions. So it would come before the Commission. And that is one reason we are putting it in a General Order form and we want to make sure that the Commission does agree with the present content. So I would recommend we put it over for one (1) week for thorough review by the Commission for the purpose of adopting next week with any changes the Commission may want to make at that time."

Commissioner Siggins: "Okay, let's put them over for one (1) week."

DISCUSSION ON PROPOSED SAN FRANCISCO CHARTER CHANGES
TO BE SUBMITTED TO THE SAN FRANCISCO CHARTER COMMISSION

Commissioner Siggins stated that he suggested as a Charter change that Police and Firemen should forfeit city retirement benefits if they are convicted of a felony or a misdemeanor involving moral turpitude just as any other city employee. He stated that he didn't think it was drafted the way he would like for

it to be, but that it was a good idea to pass along to the Charter Commission for their consideration.

Paul Chignell of the San Francisco Police Officers' Association, stated that his association would like an opportunity to make some statements on the Commission's recommendations to the Charter Commission. He stated that there were a number of meaningful changes proposed besides the discussion that was just taking place. The elimination of the section of the Charter relative to the closing of police stations, increasing Police Commissioner's salaries and other items are matters they would like to speak on and give their input so that the position of the Commission to the Charter Commission has some input from the employees of the police department.

Commissioner Ciani stated that she was not sure whether it was appropriate to take comments in this particular forum in that the decision is not to be made here but by the Charter Revision Commission, and the Police Commission are only making some suggestions that are not going to be binding on the Commission, and every member of the public is welcome to make suggestions to the Charter Commission, and if the San Francisco Police Officers' Association objects to any that are made by the Police Commission, or anyone else, that's the forum in which the San Francisco Police Officers' Association should address them.

Commissioner Sanchez then stated that he did not find anything out of order by putting the matter over for a week or two to allow the various organizations to come in with their recommendations, pro or con, or whatever, but he did think the Police Commission should listen to them and weigh it, and that way there might be a consensus in forwarding it over to the Charter Commission.

Commissioner Ciani then brought up changes that she was interested in seeing made in the Charter and that was (1) the feasibility of delegating some of the disciplinary hearings before the Police Commission to a Hearing Officer, and (2) the probationary problem encountered earlier with CETA Employees and Employees hired under other funded sources other than Ad Valorem funds.

Inspector Earl Sanders, President of the Officers for Justice, stated that his association relative to this same issue would like to join in the discussion of these matters at the time they are set.

The Commission agreed to this request and then continued the matter to August 29th, 1979.

DISCUSSION REGARDING THE ESTABLISHMENT OF A
COMMUNITY RELATIONS BUREAU

Commissioner Siggins stated that the Chief had submitted a report to the Commission and that the record should show that the Commission approved the dissolution of the Community Relations Unit at the time it was done. He said the Commission had great hopes for the new idea that every officer would be a Community Relations Specialist and that every Captain would be responsible for Community Relations in his District, and a centralized Community Relations Unit, based upon this new concept, would not be needed.

Inspector Earl Sanders stated that he was among the group who had discussed the matter with the Honorable Mayor Dianne Feinstein. He said he had just this morning received a copy of the Chief's report and had not had time to go over it with the Chief regarding his recommendations. He said he concurred with one of the Chief's recommendations in that report in that the Commission should meet with the Officers for Justice Association. He said he would certainly like to have an opportunity to present to the Commission as much evidence as possible before the Commission makes its decision on reinstatement, of the unit.

Commissioner Ciani stated that the Commission hadn't heard anything from the Community requesting that the unit be re-established.

Commissioner Siggins stated that he would prefer Inspector Sanders to not respond in the format that the Chief responded, but if he had some other format or presentation that he has been giving to other people that is persuasive, or reasons for re-establishing the unit then present it. The Commissioner then asked the Inspector to present any documentary evidence to the Commission in advance of the Police Commissioner hearing on the matter. It was then set for further discussion on September 5, 1979.

HEARING OF SERGEANT JAMES WERTZ, SUPPORT SERVICES
BUREAU - COMMUNICATIONS

The hearing of Sergeant James Wertz, Support Services Bureau-Communications, was called, it having been set for this date. Sergeant James Wertz was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Intoxication on Duty. (Violation
of Section 2.125 of the Rules and

Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct Reflecting Discredit Upon the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Truthfully Answer. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to Submit a Report. (Violation of Section 2.15 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police, San Francisco Police Department.

Sergeant James Wertz appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as Prosecutor for the Police Department.

The reading of the Charges was waived.

Sergeant Wertz, through his attorney, entered a plea of "Guilty" to all four (4) Specifications filed against him.

Mr. Wilson, Prosecuting Attorney, read into the record an Intra Departmental report submitted by Deputy Chief Mario Amoroso, regarding Sergeant James Wertz.

The following-named witness appeared for the Prosecution, was sworn and testified:

Police Officer John F. Devine
Special Assistant to the Chief of Police

A closing statement was then made by Mr. Bley on behalf of the Defendant.

The Commission took the matter under submission and then recessed from 1947 hours to 2041 hours, after which the following resolution was adopted:

RESOLUTION NO. 483-79

DECISION - HEARING OF SERGEANT JAMES WERTZ, SUPPORT SERVICES BUREAU - COMMUNICATIONS

WHEREAS, on July 6, 1979, Charles R. Gain, Chief of Police of the San Francisco Police Department, made and served charges against Sergeant James Wertz, Support Services Bureau-Communications Division, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein, the accused, James Wertz, was a Sergeant in the San Francisco Police Department assigned to the Communications Division of the Police Department in the Hall of Justice, on duty and in uniform:
- b) On Tuesday, July 3, 1979, at approximately 2145 hours, Deputy Chief of Support Services Mario Amoroso reported to the Operations Center and interviewed the accused;
- c) The accused exhibited the following signs of being under the influence of alcohol:
 - 1. He had alcoholic breath.
 - 2. His reaction to questions was abnormally slow.
 - 3. He was confused and repeated himself.
- d) The accused was given two breathalyzer tests for blood alcohol content which showed readings of .28 and .29, which readings are considerably above the level of .10 which indicates intoxication sufficient to sustain a charge of drunk driving;

- e) The accused did state that he had consumed alcoholic beverages while on duty during his meal period;
- f) That because of the level of alcohol in his body, the accused was unable to perform police duties in a calm, efficient and deliberate manner, and that this condition constitutes intoxication;
- g) By virtue of the above conduct and allegations, the accused did violate Rule 2.125 of the Rules and Procedures of the San Francisco Police Department which states:

"Shall not, while on duty or in uniform, drink any kind of intoxicating liquor or whether on or off duty be under the influence of intoxicating liquor to such an extent that he will not always be prepared to exercise police powers and entrusted with the performance of police duty in a calm, deliberate and efficient manner."

SPECIFICATION NO. 2

- a) Each and every allegation of paragraphs (a) through (f) of Specification No. 1 is incorporated herein by reference as if each were fully stated;
- b) On the above date, the accused was observed by other sworn members of the San Francisco Police Department, and non-sworn members of the San Francisco Police Department while under the influence of intoxicating liquor;
- c) The observation of the accused in his intoxicated condition by sworn members and by non-sworn employees of the San Francisco Police Department did reflect discredit upon the San Francisco Police Department;
- d) Because of the above-stated actions of the accused did violate Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

"Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) That each and every allegation in paragraphs (a) through (c) of Specification No. 1 is incorporated herein by reference as if each were fully stated:
- b) During the period of time that the accused was with Deputy Chief Amoroso he denied being intoxicated;
- c) Because of the level of alcohol in his body, such response was untruthful;
- d) That such conduct constitutes a violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

"Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 4

- a) That each and every allegation in paragraphs (a) through (f) of Specification No. 1, is incorporated herein by reference as if each were fully stated;

- b) The accused, when relieved of his duty by Deputy Chief Amoroso, was directed to submit a report in his own hand writing responding to the allegations of unfitness;
- c) The accused failed to write and submit this report, and thus was in violation of Section 2.15 of the Rules and Procedures of the San Francisco Police Department which states:

"A member shall, when relieved as unfit to exercise police duty, immediately submit to his commanding officer a written report in his own handwriting setting forth in detail his answer to the accusation of such unfitness."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, August 1, 1979, and that on Wednesday, August 1, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Sergeant James Wertz, Support Services Bureau-Communications Division, as contained in Specification No. 1, violation of Section 2.125, Specification No. 2, violation of Section 2.13, Specification No. 3, violation of Section 2.49, and Specification No. 4, violation of Section 2.15 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant James Wertz has violated Specification No. 1, Section 2.125, of the Rules and Procedures of the San Francisco Police Department, and that for said violation Sergeant James Wertz be terminated, but that the imposition of the sentence of termination be suspended for a period of one year subject to the following terms and conditions:

1. Sergeant James Wertz shall attend meetings of the Police Department Alcohol Abuse Program as instructed and directed by the Special Assistant to the Chief of Police for a period of one year.

2. Sergeant James Wertz shall completely and totally abstain from the use and consumption of any alcoholic beverage for a period of one year.
3. Sergeant James Wertz shall take a test to determine sobriety at any time at the request of a superior officer.
4. That each day upon reporting for duty Sergeant James Wertz shall subject himself to an observation by a designated superior officer to ensure that he has not been drinking an alcoholic beverage and is sober.
5. That Sergeant James Wertz shall not have any alcoholic beverages in his home.

and be it further

RESOLVED, that it is the order of the Police Commission that after a period of one year, and provided Sergeant James Wertz has complied with the terms and conditions herein, the Commission, upon its own motion, will vacate its order of termination; and be it further

RESOLVED, that it is the order of the Police Commission that Sergeant James Wertz has violated Specification No. 2, Section 2.13, Specification No. 3, Section 2.49, and Specification No. 4, Section 2.15 of the Rules and Procedures of the San Francisco Police Department and that for said violations Sergeant James Wertz shall be suspended for ninety (90) calendar days without pay commencing Thursday, August 2, 1979 at 0001 hours and terminating on Tuesday, October 30, 1979 at 2400 hours.

Recess taken during the hearing
of Sergeant James Wertz:

1947 hours to 2041 hours.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

CONTINUATION OF THE HEARING OF POLICE OFFICER
BRUCE BUSHNER - COMMUNICATIONS DIVISION

The hearing of Police Officer Bruce Bushner, Communications Division, was called, it having been continued from Wednesday, July 11, 1979, to this date.

Police Officer Bruce Bushner appeared in person and was represented by Sergeant Michael S. Hebel, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses were called by the Prosecution, sworn and testified:

Dr. Norman Steiner
Police Surgeon

Dr. Carroll M. Brodsky
M.D.

The following exhibit was entered into Evidence by the Defense:

Exhibit A - Dr. Norman Steiner's Medical Records and reports regarding Police Officer Bruce Bushner.

The following exhibit was entered into Evidence by the Prosecution:

Exhibit 3 - Letter from Dr. Carroll M. Brodsky to Joseph A. Schillaci, Assistant Claims Supervisor, Compensation Division, San Francisco City and County Employees Retirement System, dated December 23, 1978, re: Bruce Bushner, Case #87259.

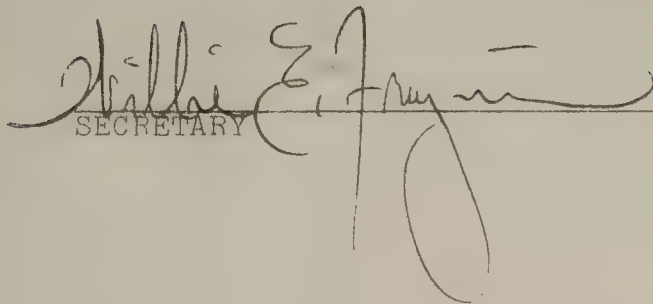
After hearing testimony from the above parties, the Commission adjourned at 2255 hours, and the matter was continued to Wednesday, August 29, 1979, at 1730 hours, in Room 551, Hall of Justice.

- 67.2 -
(The entire proceedings were taken
in shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler,
Miggins

NOT VOTING: Commissioner Murphy

The Commission then adjourned its meeting at
2255 hours.



SECRETARY

8 AUGUST 1979

REGULAR MEETING

Ther...
The ~~Police~~ Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 8, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Sanchez, Toler, Siggins

ABSENT: Commissioner Murphy

Commissioner Siggins presiding.

AUG 28 1979

DOCUMENTS - 1
1001

APPROVAL OF CONSENT CALENDAR

Commissioner Siggins: "Are there any other questions on the traffic aspects of the Consent Calendar? Before there is any motion on the Consent Calendar there was a recommendation by the Department on the Claim of John Whelan."

Robert Byrne: "Craig Martin of the City Attorney's Office is here to try to convince you to go ahead and approve it, and Officer Winters is here who investigated that matter, is here from the local office to state our opinion."

Craig Martin: "The facts involved in this case is that there was a Muni street car proceeding west on Market Street and it was driving abreast with a police vehicle. The report that I have from the Muni Railway Department is a version taken by the Inspector from the police officer. And he stated, 'I was driving in the lane next to the street car ahead of it to its right. I got a call to respond, I put the flashes on, turned left, not realizing the street car was there.' And that's the officer's first statement."

Commissioner Siggins: "Well, what do you mean that's his first statement?"

Craig Martin: "Well, his statement was later changed in the police record."

Commissioner Siggins: "Well, in a minute, I want to ask you what the Muni Railway said he said."

Craig Martin: "Correct. And then we have a statement....."

Commissioner Siggins: "it's not handwritten."

Craig Martin: "Yes it is by the Muni Railway officer, er, Inspector."

Commissioner Siggins: "It's not handwritten by the police officer?"

Craig Martin: "I don't believe so. We have a statement from one independent witness who states, 'the police vehicle just made a U-turn in front of the street car without any warning. The street car had the right of way. There were several yards before the intersection.' This is basically what he saw. Another independent witness states that; 'From my vantage point it appeared that the police vehicle did not signal its left turn and that the motorman had no warning of the intended turn, particularly since the van was turning left from the right. As I saw the van turn I was aware there was going to be an accident and in moments I heard and felt the impact. The motorman immediately checked to be sure there were no passengers who were injured.' Then the statement from the Operator himself states that he and the police van were traveling abreast for some time when suddenly the van made a left turn in the path of the street car and caused it to be struck in the middle side by the front of the street car. The officer at the wheel did not carry any identification but had a star. There were no injuries. The police report itself, there is a question in here and it says, 'Other Factors which led to the accident.' and it says, 'the police vehicle violated Section 22102 of the Vehicle Code.' That merely states that you may not make a U-Turn in a business district. The gist of my argument is this Commissioners, that we have a government entity here where one, the City and County, one is the Department of Muni Railway and one is the Police Department. The gentleman who was injured was an attorney and he happened to be helped up by Judge Shaw of the Superior Court. He has a medical report of approximately 75 dollars and was off work for approximately two weeks. He estimates his loss income at approximately \$2,000. I talked with Chief Trial Deputy Jack Duhaney and he thought that the settlement should be 75% against the Police Department and 25% against the Muni Railway. I recommended that it be split 50/50 and close the case. The Muni Railway has already agreed to pay one half of it, the Police Department objects at this time. Attorney Whelan has filed a complaint in the Muni Court against the City and County of San Francisco, he has not yet served that on us. In the event we do not agree to settle that matter now he merely files a lawsuit, I believe, then serves

us, we then recommend a settlement in court with a judge and then its final. I think we can resolve this matter right now and be done with it, which will be the most fair thing to do."

Commissioner Siggins: "Let's hear from Officer Winters."

Officer Winters: "Commissioners, the accident report made by a member of this Department differs substantially from the facts presented by Mr. Martin. Our officer's statement to the investigating officer was that he passed the street car some three quarters of a block previous to cutting into the track lane and it was stopped waiting for oncoming traffic for at least 5 seconds before he was struck. The damage to the wagon is directly under the left rear quarter which indicates he was in that lane and it was not in the middle of the wagon as alleged. Mr. Martin mentions the U-turn in a business district, at the time the wagon was responding to an emergency call and that section does not apply as long as he uses reasonable care in his driving. Our main objections, aside from the variances in the facts, the Muni Driver left long before the investigating officer arrived and also the Muni Inspector was gone before our man arrived. We asked for some proof of the plaintiffs specials and received no reply. The first we heard of the adverse witnesses statements was when the settlement proposal reached us. And Mr. Martin, in the first statement that he offered to you neglects to mention on line 7 of that statement the witnesses comment about the motorman. 'He might have been inattentive as he did not slow,' so on that basis, I don't see where the Police Department can be held 50% libel in this."

Commissioner Siggins: "Well, the damage was to the left side of the Van?"

Officer Winters: "It was exactly in the left rear corner."

Commissioner Siggins: "Which is not a rear end collision."

Officer Winters: "It is more rear end than it is broadside."

Commissioner Siggins: "It would indicate that the Van was somewhat diagonal to the....."

Officer Winters: "It was somewhat diagonal and it was pushed some 13 feet sideways by the street car after it was struck."

Commissioner Siggins: "Did the driver of the Van indicate he was making a U-turn?"

Officer Winters: "Yes, he pulled into the traffic lane to make a U-turn to go to an emergency call on the other side of the street."

Commissioner Toler: "What percentage do you think the Department should be libel for?"

Officer Winters: "Well this may be somewhat biased, but I would make it a 90/10 split."

Commissioner Siggins: "10/90?"

Officer Winters: "Muni's 90."

Commissioner Ciani: "Was the plaintiff's total claim for about \$2,000 and \$75 dollars in medical?"

Officer Winters: "When he first filed the claim a little bit less than a month after the accident he asked for something like \$25,000 in generals, \$75,000 in specials for medical and \$2,000 in wage loss, er pardon me \$1,250 in wage loss at that time."

Commissioner Siggins: "How about putting it over a week and let me talk to him, okay? Thanks Mr. Martin."

The Commission returned to item #10 on the Traffic Calendar as Mr. Monroe Bela, the owner of the property at 816 Larkin Street, The Larkin Theater, appeared and appealed the recommended denial by the Department of his application for a White Zone in front of his Theater. After listening to his testimony, Chief Gain then changed the recommendation of the Police Department from denial to grant and it was unanimously approved by the Police Commission.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning, for the regulation of traffic on the public streets, be, and the same is hereby approved:

849A LEAVENWORTH STREET - CELESTIAL CLEANERS

- a) At 849A Leavenworth Street, install a 22' green zone, extending from south property line 22' north of same.

1896-1888 GREEN STREET - GREEN ST. MARKET

- a) At 1896-1888 Green Street, install a 22' green zone, extending from 29' to 51' east of Laguna Street.

460 CHERRY STREET - CHILDREN'S HOSPITAL

- a) At 460 Cherry Street, install a 22' Blue Zone, extending from 76' to 98' east of California Street.

3750 CALIFORNIA STREET - CHILDREN'S HOSPITAL

- a) At 3750 California Street, install a 44' white zone, extending from 3' to 47' west of western crosswalk at Commonwealth.

1840-1842 CLEMENT STREET - ALEJANDRO'S RESTAURANT

- a) At 1840-1842 Clement Street, install a 24' white zone, extending from east property line 24' west of same.

3801 SACRAMENTO STREET - CHILDREN'S HOSPITAL

- a) At 3801 Sacramento Street, install a 22' Blue Zone, extending from bus stop 22' west of same.
- b) Revoke existing 22' white zone, extending from bus stop 22' west of same.

3838 CALIFORNIA STREET - CHILDREN'S HOSPITAL

- a) At 3838 California Street, install a 22' Blue Zone, extending from 47' to 69' west of western crosswalk at Jordan.
- b) Revoke existing 22' white zone, extending from 47' to 69' west of western crosswalk at Jordan.

475 BARNEVELD - CALIFORNIA SOUND ENGINEERS

- a) At 475 Barneveld, install a 44' green zone, extending from north building line 44' south of same.
- b) Revoke existing 44' green zone at 495 Barneveld from south building line 44' south of same.

3780 CALIFORNIA STREET - CHILDREN'S HOSPITAL

- a) At 3780 California Street, revoke existing 44' yellow zone, extending from 50' to 94' west of Commonwealth Street crosswalk.

816 LARKIN STREET - THE CENTURY THEATER

- a) At 816 Larkin Street, install an 18' white zone, extending from 15' to 33' north of south property line.
- b) Remove meter LAR 808.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 132 feet of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

THE CLAIM OF JOHN J. WHELAN AGAINST THE CITY AND
COUNTY OF SAN FRANCISCO IN THE SUM OF \$1,037.50
WAS HELD OVER FOR ONE (1) WEEK.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 504-79

RICHARD A. CAMARA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Richard A. Camara against the City and County of San Francisco in the sum of \$234.56 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 27, 1979

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 486-79

ROBERT V. DUFFEE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert V. Duffee against the City and County of San Francisco in the sum of \$31.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 15, 1979

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 487-79

GREAT AMERICAN INSURANCE COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Great American Insurance Company against the City and County of San Francisco in the sum of \$167.67 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 15, 1979

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 488-79

C. FOLEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of C. Foley against the City and County of San Francisco in the sum of \$71.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: November 14, 1978

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 489-79

POTENCIANI HU

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Potenciana Hu against the City and County of San Francisco in the sum of \$26.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 17, 1979

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 490-79

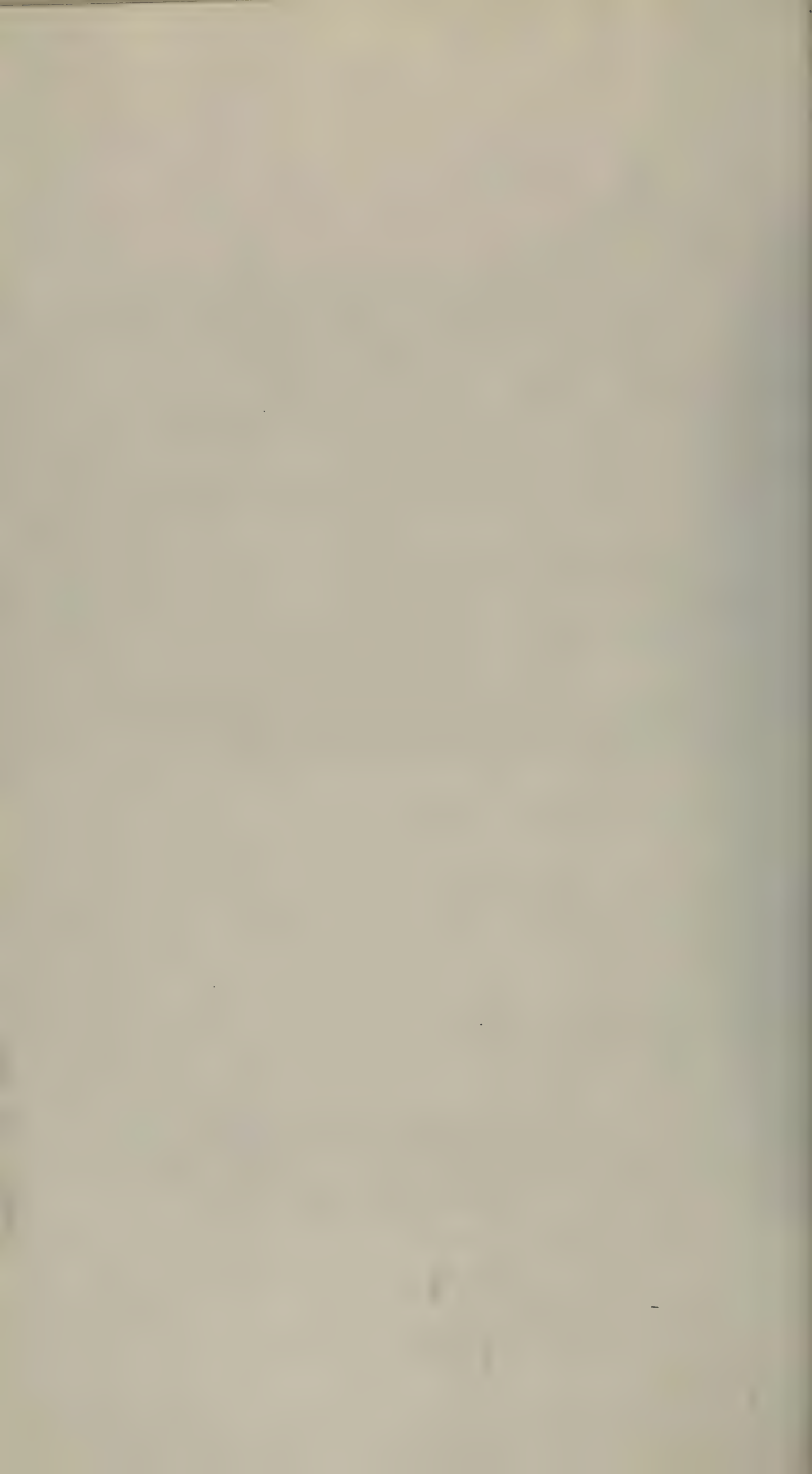
LORNA D. LIPES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Lorna D. Lipes against the City and County of San Francisco in the sum of \$31.95 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 25, 1979

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy



RESOLUTION NO. 491-79

PHILLIP T. SCARBOROUGH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Phillip T. Scarborough against the City and County of San Francisco in the sum of \$52.66 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: June 6, 1979

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RECOMMENDATION OF THE CHIEF OF POLICE THAT DEPUTY CHIEF JEREMIAH P. TAYLOR, INVESTIGATIONS BUREAU, BE GRANTED PERMISSION TO ATTEND A TRAINING COURSE ON MANAGEMENT OF THE INVESTIGATIVE FUNCTION AT SAVANNAH, GEORGIA, FROM SEPTEMBER 9, 1979 TO SEPTEMBER 14, 1979, INCLUSIVE. - CANCELLED.

RESOLUTION NO. 484-79

AUTHORIZING ATTENDANCE OF SERGEANT JAMES HALL, NORTHERN STATION, SERGEANT RONALD JACKSON, CRIMES SPECIFIC TASK FORCE, SERGEANT VICTOR WODE, PERSONNEL AND TRAINING, AND POLICE OFFICER JOHN HENNESEY, CRIMES SPECIFIC TASK FORCE, AT THE CHEMICAL AGENTS INSTRUCTORS' COURSE AT STOCKTON, CALIFORNIA, FROM SEPTEMBER 11, 1979 TO SEPTEMBER 13, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant James Hall, Northern Station, Sergeant Ronald Jackson, Crimes Specific Task Force, Sergeant Victor Wode, Personnel and Training, and Police Officer John Hennesey, Crimes Specific Task Force, be detailed to attend the Chemical Agents Instructors' Course at Stockton, California, from September 11, 1979 to September 13, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant James Hall, Northern Station, Sergeant Ronald Jackson, Crimes Specific Task Force, Sergeant Victor Wode, Personnel and Training, and Police Officer John Hennesey, Crimes Specific Task Force, in a sum not to exceed \$207.00 each, will be defrayed by the San Fran-

cisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 492-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Richard D. Klapp	)	\$156.00	(At the Quarterly
Personnel & Training	)	each	(Meeting and Public
	)		(Hearing on the Basic
Sergeant Michael S. Hebel	)		(Police Training
Personnel & Training	)		(Course at Los An-
			(geles, California,
			(on July 26, 1979
			(and July 27, 1979,
			(inclusive.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 493-79

AUTHORIZING ATTENDANCE OF LIEUTENANT DANIEL J. MURPHY, INTELLIGENCE UNIT, AT THE LAW ENFORCEMENT INTELLIGENCE CONFERENCE AT ANAHEIM, CALIFORNIA, FROM SEPTEMBER 18, 1979 TO SEPTEMBER 21, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Daniel J. Murphy, Intelligence Unit, be detailed to attend the Law Enforcement Intelligence Conference at Anaheim, California, from September 18, 1979 to September 21, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Daniel J. Murphy, Intelligence Unit, in a sum not to exceed \$331.00, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 494-79

AUTHORIZING ATTENDANCE OF LIEUTENANT VICTOR MACIA, INVESTIGATIONS-YOUTH SERVICES, AT THE MIDDLE MANAGEMENT DEVELOPMENT SEMINAR AT DALLAS, TEXAS, FROM SEPTEMBER 10, 1979 TO SEPTEMBER 14, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Victor Macia, Investigations-Youth Services, be detailed to attend the Middle Management Development Seminar at Dallas, Texas, from September 10, 1979 to September 14, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Victor Macia, Investigations-Youth Services, in a sum not to exceed \$275.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Commissioners."

RESOLUTION NO. 496-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR FIFTY (50) 8218 MUNICIPAL TRANSIT POLICE OFFICER POSITIONS

RESOLVED, that the Police Commission hereby

approves the request for a Supplemental Appropriation in the amount of \$515,760 to fund fifty (50) 8218 Muni Transit Police Officer positions for the period beginning October 1, 1979, and ending June 30, 1980.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 497-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR POLICE
EXPENDITURES RELATING TO THE GOLDEN DRAGON CASE.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$4,315.00 to fund transportation, food and lodgings costs for police personnel who are attending the trial of Tom Yu being tried in Santa Barbara, California.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 498-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR
ADDITIONAL MANDATORY FRINGE BENEFITS FOR FISCAL
YEAR 1979-80

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$25,028.00 to fund the Central Shop's increased fringe benefit costs due to the Salary Standardization Ordinance for Fiscal Year 1979-80.

AYES: Commissioners Ciani, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 499-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR CONTINUATION OF SENIOR CITIZEN EXCORT SERVICE HUD FUNDED AREAS.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation to provide funds for continuing Service for the HUD funded areas and program adminstration for the Senior Citizen Escort Service in the amount of \$281,535.00.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO. 500-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR CONTINUATION OF SERVICE FOR THE SENIOR CITIZEN ESCORT SERVICE PARKING TAX BOUNDARIES.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$119,581.00 for the Senior Citizen Escort Service for the period of August 31, 1979 through January 31, 1980.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

SETTING OF DATE FOR PUBLIC HEARING RELATIVE TO PROPOSED GENERAL ORDER REGARDING CHANGE OF DISTRICT STATION BOUNDARIES, CENTRAL/NORTHERN - PUBLIC HEARING SET FOR MEETING OF AUGUST 15, 1979.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER REGARDING TAXICAB REGULATIONS. (CONTINUED FROM MEETING OF AUGUST 1, 1979).

Commissioner Siggins: "We just had an informal discussion with some of the taxicab people and I am not sure

they knew this was on tonight."

Commissioner Toler: "Were they informed?"

Commissioner Siggins: "I don't know, but they have seen practically all of this anyway, haven't they?"

Robert Byrne: "They have seen everything except the ones you have asked to have added Commissioner Siggins, and that's the picking up and dropping off, and they have seen it as an added item."

Commissioner Ciani: "What are the changes, can you just summarize these?"

Robert Byrne: "The only change that the members have not been able to give input on are the ones on page 3, subdivision e & f, regarding geographical limitations on evading solicitations. These were added at the request of President Siggins a couple of meetings ago."

Commissioner Siggins: "We could still put it over for a week and let them take a look at it."

Robert Byrne: "Well we certainly can, as I say, to give them an opportunity to give input."

Commissioner Ciani: "I was prepared to resolve this the last time it came up."

Chief Gain: "As I recall the discussion last week was to place it on for tonight and adopt it with the understanding that any necessary changes could be made in the future."

Commissioner Siggins: "Oh, that's right, these are Orders that....they are your Orders anyway."

Chief Gain: "Yes, they are Chief's Regulations, and as we explained before we are asking the Commission to adopt them in General Order format because the Commission would be the one to apply sanctions if there were violations."

Commissioner Toler: "I so move."

Commissioner Ciani: "Could I just clarify the language of F on page 3? 'No taxicab driver shall refuse if so directed by the permit holder to solicit prospective passengers.'"

Robert Byrne: "That's to take into account a situation where say the permit holder or the owner of the company says, 'I want you to go out and work in Hunterspoint today,' and he can not then thereupon say, 'no, I am not going out there.'"

Commissioner Ciani: "Oh, I see, okay, I would second the motion."

Commissioner Siggins: "Okay, question, all in favor?"

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

RESOLUTION NO.495-79

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER REGARDING TAXICAB REGULATIONS.

RESOLVED, that the Police Commission hereby adopts the proposed General Order regarding Taxicab Regulations.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

HEARING RELATIVE TO TERMINATION OF RECRUIT OFFICER ARMANDO CORDOBA

The hearing relative to the termination of Recruit Officer Armando Cordoba was called, it having been set for this date.

Recruit Officer Armando Cordoba appeared in person and was represented by Police Officer Paul Chignell, Station Representative S.F.P.O.A. Officer Chignell presented oral evidence as to why the Commission should overrule Chief Gain's Termination Order imposed upon Recruit Officer Armando Cordoba.

Mr. Lawrence Wilson, Attorney at Law, representing the Police Department, requested approval

by the Commission of Chief of Police Charles R. Gain's Termination Order of Recruit Officer Armando Cordoba.

Officer Chignell, then gave a chronological sequence of the events and correspondence leading to and concluding with the Termination Order of Recruit Officer Armando Cordoba.

Officer Chignell then called the below-listed persons who were sworn and testified:

Recruit Officer Armando Cordoba

Sergeant Michael S. Hebel
Personnel & Training

A closing statement was then made by Officer Chignell.

A closing statement was also made by Mr. Wilson.

The Police Commission, after listening to testimony from above parties, took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 501-79

DECISION - HEARING RELATIVE TO TERMINATION OF
RECRUIT OFFICER ARMANDO CORDOBA

WHEREAS, on January 24, 1979, Chief of Police Charles R. Gain, terminated Armando Cordoba as a Recruit Officer of the San Francisco Police Department for failure to meet the academic standards of the San Francisco Police Academy as contained in Item 3 (on page 37) of Recruit School Operations Manual, in that he failed both Test I and the retest given after remedial instructions; and

WHEREAS, it was discovered that because Recruit Officer Armando Cordoba was under a temporary appointment and being paid with other than Ad Valorem funds, the Chief's Termination Order could not be final until approved by the Police Commission; and

WHEREAS, a hearing on said termination of Recruit Officer Armando Cordoba was heard before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco

on Wednesday, August 8, 1979, and on Wednesday, August 8, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the Chief's Termination Order made and imposed upon Recruit Officer Armando Cordoba is justified and proper; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's Termination Order made and imposed on Recruit Officer Armando Cordoba, be, and the same hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER VALCOUR L. EUGENE.

The hearing relative to the termination of Recruit Officer Valcour L. Eugene was called, it having been set for this date.

Recruit Officer Valcour L. Eugene appeared in person and, representing himself, presented oral and written evidence as to why the Commission should overrule Chief Gain's Termination Order.

Mr. Lawrence Wilson, Legal Office, representing the Police Department asked that the matter be continued until at such time those members of the Police Academy as mentioned by Officer Eugene could be present to testify as to the Academy curriculum, testing procedures and attitudes of the instructors involved.

The Commission then adjourned at 2040 hours and continued the hearing relative to the Termination of Recruit Officer Valcour L. Eugene, to Wednesday, August 15, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

HEARING RELATIVE TO THE TERMINATION OF POLICE
OFFICER NANCY FADHL

The hearing relative to the termination of Police Officer Nancy Fadhl was called, it having been set for this date.

Police Officer Nancy Fadhl appeared in person and was represented by Ms. Andrea Teper, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, Legal Office, represented the Police Department.

The Commission, after listening to statements by Defense and Prosecution attorneys, took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 502-79

DECISION - HEARING RELATIVE TO THE TERMINATION OF
POLICE OFFICER NANCY FADHL

WHEREAS, on October 20, 1978, Chief of Police Charles R. Gain, terminated Nancy Fadhl as a Police Officer of the San Francisco Police Department for failure to meet the field performance standards of the San Francisco Police Department Training Program; and

WHEREAS, it was discovered that because Police Officer Nancy Fadhl was under a temporary appointment and being paid with other than Ad Valorem funds, the Chief's Termination Order could not be final until approved by the Police Commission; and

WHEREAS, a hearing on said termination of Police Officer Nancy Fadhl was heard before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco on Wednesday, August 8, 1979, and on Wednesday, August 8, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the Chief's Termination Order made and imposed upon Police Officer Nancy Fadhl is justified and proper; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's Termination Order made and

imposed upon Police Officer Nancy Fadhl, be, and the same hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Murphy

HEARING RELATIVE TO THE TERMINATION OF POLICE OFFICER JAMES K. MAH

The hearing relative to the termination of Police Officer James K. Mah was called, it having been set for this date.

Officer Mah, having been notified well in advance of the hearing, did not appear, nor did he send a representative in his behalf.

Mr. Lawrence Wilson, Attorney at Law, representing the Police Department requested the Commission's approval of Chief of Police Charles R. Gain's Termination Order of Police Officer James K. Mah.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 503-79

DECISION - HEARING RELATIVE TO THE TERMINATION OF POLICE OFFICER JAMES K. MAH

WHEREAS, on January 12, 1979, Chief of Police Charles R. Gain, terminated James K. Mah as a Police Officer of the San Francisco Police Department for failing to achieve the minimum acceptable standard for field performance for a person engaged in patrol duties in the San Francisco Police Department; and

WHEREAS, it was discovered that because Police Officer James K. Mah was under a temporary appointment and being paid with other than Ad Valorem funds, the Chief's Termination Order could not be final until approved by the Police Commission; and

WHEREAS, a hearing on said termination of Police Officer James K. Mah was heard before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco on Wednesday, August 8, 1979, and on Wednesday, August 8, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the Chief's Termination Order made and imposed upon Police Officer James K. Mah is justified and proper; therefore be it

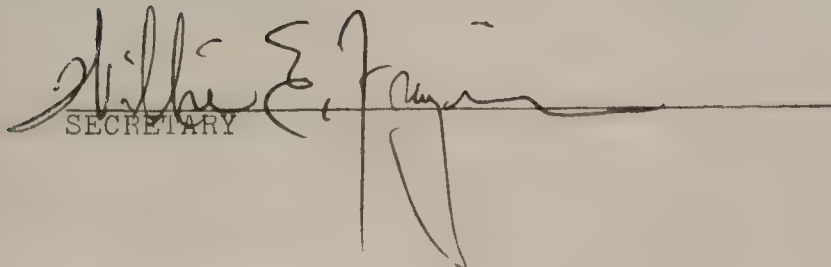
RESOLVED, that it is the order of the Police Commission that the Chief's Termination Order made and imposed upon Police Officer James K. Mah, be, and the same hereby affirmed and approved.

(The entire proceeding was taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R)

AYES: Commissioners Ciani, Sanchez, Toler, Siggins

NOT VOTING: *Commissioner Murphy

The Commission then adjourned its meeting at 2040 hours.


SECRETARY

15 AUGUST 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 15, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Sanchez, Toler
Siggins

ABSENT: Commissioner Ciani

NOV 5 1979

Commissioner Siggins presiding.

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RECOMMENDATION OF THE AWARDS COMMITTEE

Commissioner Siggins: "Fellow Commissioners, I was planning to Chair the Awards Committee meeting on Friday, August 10th, but I was called out of town and in my place Deputy Chief of Field Operations, Kevin Mullen was the Chairman and he has reported the results to us. There were 31 Medal of Valor Awards. One Gold, 12 Silver and 18 Bronze. I have gone through the Commendation Awards and I have also contacted Deputy Chief Mullen and have learned that in so far as the votes as to the Bronze Medals of Inspectors Charles Brewster and Roy Hicks and also the award of Bronze Medals to Police Officers Dennis Dillard and Michael Gonsolin which were so close to the Silver Medal, wherein all four were involved in a fire at the Atlanta Hotel at 7th and Mission and saved many lives. All four were there before the Fire Department arrived. Two people reported to the Sergeant there that they would not be alive today if it had not been for the heroic efforts of these officers. I am sure that I would have voted for at least a Silver Medal of Valor, and I would ask that a motion be made that the Bronze Medal of Valor Awarded to Inspectors Brewster and Hicks and Police Officers Dillard and Gonsolin be changed and up-graded to a Silver Medal of Valor for each."

Commissioner Murphy: "I second it."

Commissioner Toler: "I second the motion."

Commissioner Siggins: "Question, all in favor?"

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

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Commissioner Siggins: "Thank you, now we do have one Gold Medal of Valor and I will make special mention of that at a subsequent meeting. Now may we have a motion on the acceptance of the Awards Committee recommendations?"

Commissioner Sanchez: "I would move acceptance of the Awards Committee recommendations."

Commissioner Murphy: "Second."

Commissioner Siggins: "Okay, all in favor?"

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

The matter was then scheduled for presentation of the Awards of Valor, Medals and/or Stars and Certificates for August 29, 1979.

RESOLUTION NO. 516-79

RECOMMENDATION OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor, Gold Medal, Silver Medal, and Bronze Medal, under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, August 10, 1979:

Assistant Patrol Special

Officer Steven Patrick Mroz.....Gold Medal of Valor

*Inspector Charles E. Brewster.....Silver Medal of Valor

*Inspector Roy C. Hicks.....Silver Medal of Valor

Assistant Inspector Thomas

J. Gerard.....Silver Medal of Valor

Police Officer Bob C. Davis.....Silver Medal of Valor

*Police Officer Dennis W. Dillard...Silver Medal of Valor

Police Officer Robert W. Donsbach..Silver Medal of Valor

Police Officer Victor E. Fleming...Silver Medal of Valor

*Police Officer Michael L. Gonsolin.Silver Medal of Valor

Police Officer Charles T. Gretton...Silver Medal of Valor
Police Officer William D. Langlois...Silver Medal of Valor
Police Officer Lee A. McVeigh.....Silver Medal of Valor
Police Officer William D. Sowell...Silver Medal of Valor
Police Officer Stephen J. Venters...Silver Medal of Valor
Police Officer Harold F. Winkler...Silver Medal of Valor
Patrol Special Officer Alfred
Grenci.....Silver Medal of Valor
Patrol Special Officer Bruce
M. Lowe.....Silver Medal of Valor
Police Officer Daniel B. Boden.....Bronze Medal of Valor
Police Officer Louette M.
Colombano.....Bronze Medal of Valor
Police Officer Timothy J. Connell...Bronze Medal of Valor
Police Officer Edbert T. Dare.....Bronze Medal of Valor
Police Officer Kevin M. Gotchet....Bronze Medal of Valor
Police Officer Leonard G. Jeong....Bronze Medal of Valor
Police Officer Leslie D. Krakowsky...Bronze Medal of Valor
Police Officer Mark E. Laherty.....Bronze Medal of Valor
Police Officer Michael D. Lee.....Bronze Medal of Valor
Police Officer James R. Long.....Bronze Medal of Valor
Police Officer Michael P. Mallen...Bronze Medal of Valor
Police Officer Michael N. Maloney..Bronze Medal of Valor
Police Officer Thomas R. Taylor....Bronze Medal of Valor
Police Officer Marty L. Way.....Bronze Medal of Valor

*Changed from Bronze Medal of Valor to Silver Medal of
Valor on recommendation of the Police Commission.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Lind

RESOLUTION NO. 517-79

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT.

WHEREAS, the following-named members of

the Police Department have been commended for courageous service under the provisions of Sections 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, August 15, 1979; and

WHEREAS, Chief of Police Charles R. Gain has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405 (a) (4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Assistant Patrol Special Officer Steven Patrick Mroz, be, and he is hereby awarded a Gold Medal of Valor and granted a reward of \$200.00 as provided for under said section of the Charter; and be it further

RESOLVED, that Inspector Charles E. Brewster, Inspector Roy C. Hicks, Assistant Inspector Thomas J. Gerard, Police Officers Bob C. Davis, Dennis W. Dillard, Robert W. Donsbach, Victor E. Fleming, Michael L. Gonsolin, Charles T. Gretton, William D. Langlois, Lee A. McVeigh, William D. Sowell, Stephen J. Venters, Harold F. Winkler, Patrol Special Officers Alfred Grenci and Bruce M. Lowe, be, and the are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Police Officers Daniel B. Boden, Louette M. Colombano, Timothy J. Connell, Edbert T. Dare, Kevin M. Gotchet, Leonard G. Jeong, Leslie D. Krakowsky, Mark E. Laherty, Michael D. Lee, James R. Long, Michael P. Mallen, Michael N. Maloney, Thomas R. Taylor, and Marty L. Way, be, and they are hereby awarded Bronze Medals of Valor, and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ianni

APPROVAL OF THE CONSENT CALENDAR

Commissioner Siggins: "There was one carry over, the claim of John Whelan, and I think I will refer that back to the Legal Department. I did my job of contacting him and he never accepted the offer

that I suggested. Let's continue that one for another week and I will be in touch with Mr. Byrne of the Legal Office."

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

435 MONTEREY BOULEVARD - SUNNYDAY NURSERY

- a) At 435 Monterey Boulevard, install a 22' white zone, extending from east building line 22' east of same.

3920 MISSION STREET - ROBLES FIRE PROTECTION INC.

- a) At 3920 Mission Street, install a 16' yellow zone, extending from 3' to 19' north of the south building line.

2355 OCEAN AVENUE - S.F.P.D.

- a) At 2355 Ocean Avenue, revoke existing 20' green zone, extending from 3' to 23' east of driveway to 2355 Ocean Avenue.

2301 OCEAN AVENUE - S.F.P.D.

- a) At 2301 Ocean Avenue, revoke existing 50' green zone, extending from 6' to 56' east of Paloma Avenue.

2315 OCEAN AVENUE - S.F.P.D.

- a) At 2315 Ocean Avenue, revoke existing 36' yellow zone, extending between crosswalks opposite Santa Ana Avenue.

2369 OCEAN AVENUE - S.F.P.D.

- a) At 2369 Ocean Avenue, revoke existing 42' green zone, extending from west line of 2369 Ocean Avenue 42' east of same.

425 MONTEREY BOULEVARD - S.F.P.D.

- a) At 425 Monterey Boulevard, revoke existing 22' yellow zone, extending from 6' to 28' west of east property line.

3908 MISSION STREET - S.F.P.D.

- a) At 3908 Mission Street, revoke existing 22' yellow zone, extending from north property line 22' south of same.

782 MINNESOTA - S.F.P.D.

- a) At 782 Minnesota Street, revoke existing 18' yellow zone, extending between driveways.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 210 feet of green and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

CLAIM OF JOHN J. WHELAN IN THE AMOUNT OF \$1,037.50
(CONTINUED FROM THE MEETING OF AUGUST 8, 1979) -
CONTINUED ONE WEEK.

RESOLUTION NO. 515-79

NORMAN R. REYNOLDS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation

of Norman R. Reynolds in the sum of \$1,250.00 in Superior Court Action No. 710-827, entitled "Norman R. Reynolds vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: December 17, 1975

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 505-79

DOROTHY SMITH & STATE
FARM INSURANCE CO.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dorothy Smith and the State Farm Insurance Company against the City and County of San Francisco in the sum of \$526.43 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 7, 1979

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 506-79

MASH ARCHER & GOLDEN GATE
GLASS & MIRROR CO. INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mash Archer & Golden Gate Glass and Mirror Co., Inc. against the City and County of San Francisco in the sum of \$230.80 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 24, 1978

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 507-79

DOUGLAS ELLIOTT & GOLDEN GATE
GLASS & MIRROR CO. INC.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Douglas Elliott & Golden Gate Glass & Mirror Co., Inc. against the City and County of San Francisco in the sum of \$229.78 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: September 24, 1978

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 508-79

PAUL R. ZELASKO

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Paul R. Zelasko in the sum of \$500.00 in United States District Court Action No. C-78-2286RHS entitled "Paul R. Zelasko vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 30, 1978

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 509-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000.00 charging same to Firm To. 355081 2010 133 01 as an advance on the Police Narcotic Fund

for the month of August, 1979.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 510-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of August 1979.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 511-79

AUTHORIZING ATTENDANCE OF LIEUTENANTS LIONEL HESS, SOUTHERN STATION, ROBERT KAFKA, SOUTHEAST STATION, GEORGE LOCKHART, MISSION STATION, AND LEWIS WERLE, SUPPORT SERVICES, AT A MIDDLE MANAGEMENT TRAINING COURSE AT SAN DIEGO, CALIFORNIA, FROM SEPTEMBER 24, 1979 TO OCTOBER 5, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants Lionel Hess, Southern Station, Robert Kafka, Southeast Station, George Lockhart, Mission Station, and Lewis Werle, Support Services, be detailed to attend a Middle Management Training Course at San Diego, California, from September 24, 1979 to October 5, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenants Lionel Hess, Southern Station, Robert Kafka, Southeast Station, George Lockhart, Mission Station, and Lewis Werle, Support Services, in a sum not to exceed \$623.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 512-79

AUTHORIZING ATTENDANCE OF SERGEANT DAVID WINN AND POLICE OFFICER JEREMIAH MORGAN, CRIMES SPECIFIC TASK FORCE, AT THE BOMB SQUAD EQUIPMENT AND TECHNIQUES SEMINAR AT SANTA CLARA, CALIFORNIA, FROM AUGUST 13, 1979 TO AUGUST 15, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant David Winn and Police Officer Jeremiah Morgan, Crimes Specific Task Force, be detailed to attend the Bomb Squad Equipment & Techniques Seminar at Santa Clara, California, from August 13, 1979 to August 15, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Winn and Police Officer Morgan, Crimes Specific Task Force, in a sum not to exceed \$100.50 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 513-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Alan Larkin)	\$632.00	(At a Middle Man-
Investigations Bureau)		(agement Training
		(Course, at San Diego,
		(California, from
		(July 23, 1979 to
		(August 3, 1979, in-
		(clusive.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 514-79

AUTHORIZING ATTENDANCE OF LIEUTENANT CHARLES BEENE, CRIMES SPECIFIC TASK FORCE, AT THE UNUSUAL INCIDENT COMMAND SEMINAR AT SANTA ROSA, CALIFORNIA, FROM AUGUST 22, 1979 TO AUGUST 24, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Charles Beene, Crimes Specific Task Force, be detailed to attend the Unusual Incident Command Seminar at Santa Rosa, California, from August 22, 1979 to August 24, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Lieutenant Charles Beene, Crimes Specific Task Force, in a sum not to exceed \$160.50, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report Commissioners."

Commission Murphy: "Do you have anything other than what has been in the newspapers about the Transit situation, the 22 bus, the 5, and so on?"

Chief Gain: "Well, it was pretty well reported there as to the need of personnel which has been concentrated on particular buses to combat those problems."

Commissioner Murphy: "I have been very concerned about this because this isn't the only way the young people are spending their summer in anti-social ways. Those kids are out in the Mission drag racing, or whatever they call it now. Low riders? And I really think, although I am certainly not against policing it and being as firm as possible and start preventing as much as possible. On the other hand I think it is symptomatic of something much more important than the policing part of it and I really think if we could, in some way, get with Park and Recreation and other civic organizations to see if we can provide some kind of social outlet for these unemployed youths most of whom are unemployed in every way, either monetarily and

otherwise, I really think it would be worthwhile. It would be a good expenditure of some money and I don't know how to get that over to the powers to be but that would be my feeling and I would like to make a motion that the Police Commission request that you (Chief) take this suggestion to whomever would be responsible for it. I assume the Mayor's Office."

Commissioner Toler: "I would second Commissioner Murphy's motion."

Commissioner Sanchez: "Yes, I would like to speak to that motion if I might. I would support it in full context. But pertaining to some of the problems in the Mission and the Lowriders, quote, unquote, I would just like to make a few comments on that. There have been numerous meetings. I have been gone for a couple of weeks but prior to that there have been various meetings with the Low-rider Organizations and the Organizations themselves have a very high standard of discipline, both in reference to car safety requirements, as to drinking, smoking, etc., etc. There is a Lowrider exhibit of paintings and art work on 24th and Bryant, which I had a chance to view yesterday and it really is an outstanding exhibit and demonstrates a number of, perhaps, innovations that the kids are involved in. The fact of the matter is that most of the lowriders themselves belong to the formal clubs. They have invested a substantial amount of dollars into these cars as far as maintenance, and chopping, and channeling them, etc., and the upholstery work, and whatever, and they have very strict rules and guidelines. It's my understanding that the Mission Police Station has been working with the Park and Rec to find options for the kids as far as places for them to meet safely, such as Bordens plan which is on Potrero and 26th Street and Utah there, and perhaps Candlestick Park, if that would be available, or whatever, but under supervision, etc. So the Department is doing a lot of creative ideas and is working with the youth groups, but many of the problems are coming from San Jose, from Concord, from across the bay, etc., Fremont, you name it. And this is creating the problems. It's not the Lowriders Clubs themselves. It's the fact that it's an attraction to follow the Low-rider Clubs and to have a car that you think is souped up, and chopped, and whatever, and it doesn't meet minimum safety standards, or cannot even get into the club and, of course, you are getting this group in there now and that's where some of the difficulties are. But the communication lines were open and I assume they still are, and I believe the Department is working with the Chief and with the Captain out there to insure that some of the kids do have some creative options and to work within the structure of the law and the ordinance and the community organizations."

Commissioner Murphy: "Well, that's very encouraging. I do know, and I think however, there is a deeper problem than just keeping the 22 safe, or the number 5 safe, or whatever. I know you can't have 60 or 70 percent youth unemployment in the Bayview Hunterspoint area and expect a great feeling of propriety going on. It just isn't possible. And I think I have heard reports that some of the swimming pools aren't open anymore, for example. There are, of course, some of the results of 13, that they are having to spend even more money than we would normally."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

Commissioner Sanchez: "Could I follow up on that point too, because it's sort of after, or perhaps, towards the tail end of summer. I guess prior to the summer we had asked the Chief to respond to us sometime during the summer about what sources of prevention we were utilizing as far as the utilization of the Hondas, the Vespas, etc., especially in the Park and Rec areas, not only in Golden Gate Park but all over the City. Garfield Park, you know, Hunterspoint, Bayview, Southpark area, Bernal Heights, etc., etc., and the Chief has responded with two position papers both in reference to the utilization of the Vespas which, evidently, seem to be non-functional. I guess all of them, and perhaps, you might be utilizing those for the Park and Rec police, and then also, I guess the Honda Bike Patrol which seems as if, I just read it this evening, here is an area where we might be able to increase perhaps the number of Hondas, and utilize them in perhaps a number of areas throughout the city rather than just concentrate them in maybe, here it says like the Park and Beach, mostly in the Golden Gate Park and Candlestick Park. There are other utilizations such as Mission Dolores, Garfield and etc., etc., Bernal Heights up around that area and it's a very creative use, prevention and....."

Chief Gain: "Would the Commission like to have...say schedule this for next week and I can have some Staff members here to discuss in more detail the subject, the use, and whatever. I think that might be beneficial. Would you like to do that?"

Commissioner Siggins: "Yes."

Chief Gain: "We could calendar it for next week and I can have appropriate Staff members here to present a thorough discussion of it."

Commissioner Murphy: "Which are the Vespas and which are the Hondas?"

Chief Gain: "The Vespas are a little small motor scooter-type thing."

Commissioner Murphy: "Are they used by the meter-maids?"

Chief Gain: "No. We can have a Vespa and Honda here because perhaps the Commissioners would like to see the differences between them."

Commissioner Sanchez: "Or through the Chair, perhaps I might bring up another topic which was part of the Chief's written report. This pertains to the Status Report of the Q2 Exam and, initially, I think I only have a minute so I can't check it, but I know that some of us, myself in particular, voiced not a concern but some statements pertaining to the forthcoming, at that time, oral examinations. And I wanted to find out who would be staffing these oral examinations from the Civil Service Commission and Staff to insure that there were some standards that were constant for all applicants rather than just, as an example, have three picked at random who would be interviewing one or two kids, or whatever, I am just throwing this out as a hypothetical case, the reason why I am bringing this up is because I have heard some concerns from some people who took oral exams that evidently there were some inconsistencies perhaps, or perhaps the questions were not standard, or maybe the people on a particular panel had different types of questions and responses that they expected of the candidates and some others and I know that there was preparation for this part, and I am just wondering if perhaps we could have some data on the numbers who actually took the oral, and plus the physical exam too, and those who passed it, and those who did not, and if we might even have it in more detail, especially if there are some complaints coming in, indeed, there is a pattern here, then maybe we should be looking into that or else the Civil Service Commission should be looking at it or else, for example, the Auditor Monitor should be looking into that. I was going to discuss this with him at some point tomorrow because I have heard some things about it and I just wanted to make sure that again, that there is a pattern of consistency and the standards are applicable for all, both in reference to the oral and also to the physical, although the physical would be pretty standard anyway, and I just wanted to raise this because I had raised it previously prior to the admission, and now that it has been given, I want to find out how many did pass, fail, flunk, or whatever, and if we can have a much wider view, I would appreciate it."

Chief Gain: "Can we do this, can we schedule it for two weeks hence and then we can ask a member of the Civil Service Department to come who is knowledgeable in that area, we will give you a report in advance and then have a Civil Service person speak to it if that is your pleasure?"

Commissioner Murphy: "Yes, but I want to be sure that the person that comes isn't just representing the Civil Service Commission because they happen to be a Staff member, but I want somebody who really knows about it because I think the last person we had testifying on it, the exams, really knew very little about the process, or didn't seem to know much about it."

Commissioner Sanchez: "I guess we want somebody who is involved in the administration of the oral exam and so in this way we could at least understand what, in fact, did go on, not a second hand report of what they thought went on."

Commissioner Siggins: "Commissioner Sanchez, you are not indicating are you, that in an oral part of an examination that everybody is asked the same question?"

Commissioner Sanchez: "I don't know. I have no idea of what the criteria was or what basic.....I don't know, I have no idea."

Commissioner Murphy: "Well, it's not customary that they have a set of questions. I don't believe...I have sat on many an oral, not for the police department, but others."

Chief Gain: "This one was very standardized."

Commissioner Murphy: "Very structured?"

Chief Gain: "Very structured. So we will have probably Mr. Jeff Rothman if he can make it. Someone who is really knowledgeable about the whole process."

Commissioner Murphy: "Good."

Commissioner Sanchez: "Fine, thank you."

Commissioner Siggins: "In that regard, personal history forms are being sent to certain people and another letter is being sent to others?"

Chief Gain: "There is a personal history form that will be sent and is being sent to the top 100 of the 1st 600 people, based upon the combined score of the Audio Visual and the Oral Board. And they are being sent out and persons are being asked to fill out their personal history statement so that when we do get a certified list we will expedite the background investigation process. So they will complete those forms, they will be received, and then when the list is certified we can immediately conduct background investigations on the first 45 because that would be the number who will commence the first school now anticipated to commence in October."

Commissioner Siggins: "Okay, it's a start, a head start."

Chief Gain: "A head start, right."

Commissioner Siggins: "Okay, I would take it Commissioner Sanchez you are satisfied with the report, I think it is on the para-police officers in San Francisco? I believe you are the one who instigated it. I think it's a good, complete report and it's something that we all should know."

Chief Gain: "Deputy Chief DeAmicis prepared that report."

Commissioner Sanchez: "A very good report. I was going to ask one question on that. The Institutional Police includes SFGH, right? Because I notice they mention Laguna Honda. Usually you think of Laguna Honda dash SFGH as far as...okay. And so, basically, the vacancies that are advertised here, or at least expressed here, we really have no jurisdiction over that at all, that is again all done through Civil Service and then as cited training may vary according to the nature of the category of service, correct? And so, therefore, we have some sort of responsibility, or some sort of outreach as far as accountability of some of these services, I mean, i.e., Harbor Police, i.e., Park and Environmental and, etc."

Chief Gain: "They are ours, those three."

Commissioner Sanchez: "They are ours? But the Institutional and the other ones are not? The Transit Police are not?"

Chief Gain: "The Transit Police are ours. There probably should be, some day, a discussion about some consolidation of all those various services. I think that was your point when you initially opened the subject matter."

Commissioner Sanchez: "Yes, I was wondering, if perhaps maybe in the next month or so, if perhaps Staff or else maybe the Commission itself, could review possible recommendations pertaining to some rational sort of comprehensive plan about how we could be accountable, or not accountable for these various types of, perhaps, services that have been defined here. Because I think you really have to have spelled out a number of areas that I know I was unaware of, especially when you look at the numbers and requirements, and type of training. And at the same time we have liaison with these groups, and some we have full accountability, and others we have partial, and some we have none. So maybe we should either have all, or none, or else there should be some sort of review in house and then with specific recommendations on how we can maximize this, if that's possible."

Chief Gain: "Yes, could we target one month from today for such a report?"

Commissioner Siggins: "Yes."

Commissioner Sanchez: "If the Commission would so move."

Commissioner Siggins: "Yes, I think it's a good idea. This should somehow be distributed. I think a lot of people don't know there are that many different para-police officers in the city."

Commissioner Murphy: "An immense number."

Commissioner Siggins: "Next item."

PROPOSED CHANGE IN RULES AND PROCEDURES AMENDING
RULE 5.121 - MEDAL OF VALOR AWARDS - (COPIES SENT
TO EMPLOYEE ORGANIZATIONS)

Chief Gain: "That will go to the Employee Associations and they have 10 days to respond."

Commissioner Siggins: "That is not that kind of thing."

Chief Gain: "Right, this is one where the members under appropriate rule are petitioning the Commission for a change in a certain rule."

Commissioner Siggins: "Yes, this is Officer James Strange's petition."

Chief Gain: "It should be scheduled for public hearing."

Commissioner Siggins: "Yes. You oppose it Chief on the idea that you don't think that it's not humiliating, or so, for somebody to fill out a report that I am a hero and I did this."

Chief Gain: "Well, I just take it from a standpoint that they don't have to say they were heroes, just a factual statement of what occurred."

Commissioner Siggins: "Yes, whatever comes before the Commendations Board is something that is submitted by, usually, a Commanding Officer, a Captain of some kind."

Chief Gain: "Eventually an officer writes a report and the Captain takes that, and from that a report is made."

Commissioner Sanchez: "Or through the Chair, there is an ongoing Committee, isn't there, which deals with various levels of review, and they are also in the process, I thought, of taking a look at certain criteria, or else trying to update the awards themselves."

Chief Gain: "That's a project in Planning and Research now."

Commissioner Sanchez: "So wouldn't this be proper to sort of refer this at least, to that Committee for their review and recommendation, and then this way we could come in with a full package of changes, recommendations, and deletions rather than do everything piecemeal, or you don't think it warrants it?"

Chief Gain: "That recommendation had been made to Officer Strange and he opted to bring it before the Commission in the way he is doing it here under the appropriate rule. That could be done at the direction of the Commission though."

Commissioner Siggins: "Yes, well let's certainly bring it to the attention of the Screening Committee."

Commissioner Sanchez: "Yes, I would move that we refer this to the Screening Committee for review and recommendation along with the other revisions, and to be brought back to the full Commission at some point, whatever that is say maybe four weeks, three weeks or six weeks, whatever the time variable

is, and so this way we could have full discussion of the whole awards process."

Chief Gain: "Fine, that's excellent."

Commissioner Siggins: "Is that a motion?"

Commissioner Sanchez: "Yes, right."

Commissioner Murphy: "Second."

Commissioner Siggins: "Okay, all in favor?"

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

Commissioner Murphy: "I don't remember whether this petition came from one station or just a group of officers got together, or what happened on this?"

Lieutenant Frazier: "This item contains a petition with 165 signatures and was circulated throughout the 9 District Stations."

Commissioner Murphy: "Oh, this will not be like the Beard thing, will it?"

Commissioner Sanchez: "It could be if we don't have any formal process that we have established as far as our own procedure. There is a mechanism now which is reviewing the criteria as far as Meritorious Awards, etc., and this is underway now so, basically, the intent of my motion was to refer this, which properly fits within the context of that, for review, and study, and recommendation to be brought back before the full Commission."

Chief Gain: "We will follow through on that."

PUBLIC HEARING RELATIVE TO PROPOSED GENERAL ORDER
REGARDING CHANGE OF DISTRICT STATION BOULARDIES,
CENTRAL/NORTHERN

Chief Gain: "We recommend adoption by the Commission. There has been no opposition to it. The proponent is here who recommended this to the police department."

Commissioner Murphy: "I move we accept this change in the Northern and Central District Boundaries."

Commissioner Sanchez: "I second."

Commissioner Siggins: "All in favor?"

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

Mr. Michael Caldwell: "Thank you very much, our entire neighborhood will be very happy to hear this."

Commissioner Siggins: "Where do you live?"

Mr. Caldwell: "I have Rudapalt Restaurant and Blue Parrot Cafe on Polk near the Alhambra Theatre, and the major thrust of this change is to give us the police coverage that can be afforded us from the Northern Station as opposed to the Central because of Russian Hill being in the way. And experience has shown us there have been problems getting service from Central because often there is a car in the middle of Chinatown or in the Tenderloin, or out on the Wharf, and when we have an immediate problem, maybe the movie theatre is being held up at gunpoint or the Bank or something sometimes they can't get there. Whereas the other Station, the Northern Station, has cars entirely around the periphery of our little area and in crisis situations they have invariably been the first cars there."

Commissioner Murphy: "Didn't you run for Supervisor in District II?"

Mr. Caldwell: "Yes, I did two years ago. Thank you very much."

Chief Gain: "Here is a classic example of how one citizen of San Francisco can bring about a very beneficial change because he is the one that recommended it."

RESOLUTION NO. 518-79

PROPOSED GENERAL ORDER REGARDING CHANGE OF DISTRICT STATION BOUNDARIES CENTRAL AND NORTHERN

RESOLVED, that, in accordance with the

recommendation of Charles R. Gain, Chief of Police, the boundaries of the below-named stations are as follows:

Company A - Central Police Station

Commencing at the point of intersection of the prolongation of the center line of Van Ness Avenue and the waters of San Francisco Bay; thence easterly and southerly along the waters of San Francisco Bay to the intersection of the prolongation of the Northern Boundary of the Union Depot (Ferry Building); thence southwesterly along the prolongation of the Northern Boundary of the Union Depot to the center line of the Embarcadero; thence southeasterly along the center line of the Embarcadero to the prolongation of the north property line of Market Street; thence southwesterly along the prolongation of the north property line of Market Street to the center line of Leavenworth Street; thence northerly along the center line of Leavenworth Street to the center line of Bay to the center line of Van Ness Avenue; thence northerly along the center line of Van Ness Avenue; thence northerly along the center line of Van Ness Avenue to the waters of the San Francisco Bay and the point of commencement. All premises facing and fronting the above north property line of Market Street shall be deemed to be within the jurisdiction of the Southern District; and the Central District shall maintain jurisdiction and responsibility for the exterior parts of said premises which are north of said property line, and the interior of said premises with entrance or exits north of said property line.

Company E - Northern District

Commencing at the point of intersection of the prolongation of the center line of Van Ness Avenue and the waters of the San Francisco Bay; thence southerly along the center line of Van Ness Avenue to the center line of Bay Street; thence easterly along the center line of Bay Street to the center line of Leavenworth Street; thence southerly along the center line of Leavenworth Street to the prolongation of the north property line of Market Street; thence southwesterly along the prolongation of the north property line of Market Street to the center line of Duboce Avenue; thence westerly along the center line of Duboce Avenue to the center line of Steiner Street; thence northerly along the center line of Steiner Street to the center line of Broadway; thence westerly along the center line of Broadway to the boundary line of the Military Reservation; thence northerly along the eastern boundaries of the Military Reservation to the San Francisco Bay Shore; thence easterly along the Shore to the prolongation of Van Ness Avenue and the point of commencement. All premises facing and fronting the above north property line of Market Street shall be deemed to be within

the jurisdiction of the Southern District; the Northern District shall maintain jurisdiction and responsibility for the exterior parts of said premises, which are north of said property line and the interior of said premises with entrance and exits north of said property line.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 519-79

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER ON
SEXUAL ASSAULT CASES

RESOLVED, that the Police Commission hereby adopts the proposed General Order regarding Sexual Assault Cases.

(Copy on file in Office of the Police Commission.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 520-79

STATUS REPORT IN THE MATTER OF POLICE OFFICER
MICHAEL KELLY, VICE CRIMES DIVISION

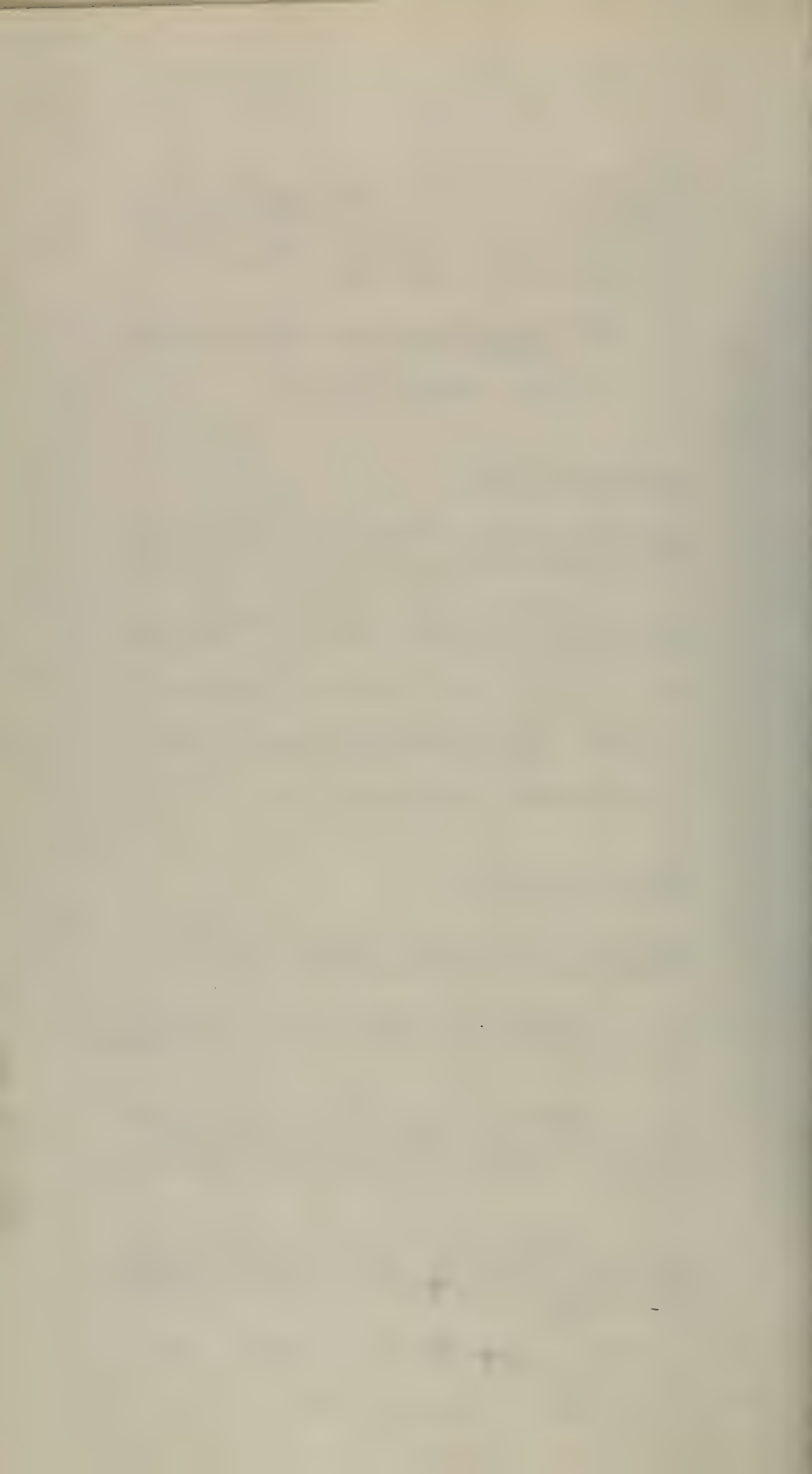
WHEREAS, the status report in the matter of Police Officer Michael Kelly, Vice Crimes Division, was called; and

WHEREAS, it was agreed upon by Mr. Lawrence Wilson, Legal Office, and Mr. Stephen Bruce Bley, Attorney at Law, that Officer Kelly's hearing be continued to Wednesday, August 29, 1979; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Michael Kelly, Vice Crimes Division, is set for Wednesday, August 29, 1979, at 5:30 p.m., in Room 551, Hall of Justice,

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani



RESOLUTION NO. 521-79

STATUS REPORT IN THE MATTER OF POLICE OFFICER
DANIEL MARR, BUREAU OF COMMUNICATIONS

WHEREAS, the status report in the matter of Police Officer Daniel Marr, Bureau of Communications, was called; and

WHEREAS, it was requested by Mr. Stephen Bruce Bley, Attorney at Law, that Officer Marr's hearing before the Police Commission be continued until after the criminal matter against him had been adjudicated; therefore be it

RESOLVED, that the date for the hearing of the disciplinary charges filed against Police Officer Daniel Marr, Bureau of Communications, is set for Wednesday, August 29, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 522-79

HEARING OF POLICE OFFICER TEDDY QUERUBIN, PARK
POLICE STATION

WHEREAS, the hearing of Police Officer Teddy Querubin, Park Police Station, was called; and

WHEREAS, Officer Querubin requested that because of illness in his family that his hearing be rescheduled for Wednesday, September 5, 1979, therefore be it

RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Teddy Querubin, Park Police Station, is set for Wednesday, September 5, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

716

HEARING RELATIVE TO THE TERMINATION OF POLICE
OFFICER VANDY PHILLIPS

The hearing relative to the termination of Police Officer Vandy Phillips was called, it having been set for this date.

Police Officer Vandy Phillips appeared in person and was represented by Jack L. Burnam, Attorney at Law.

Commissioner Richard J. Siggins made an opening statement.

Mr. Jack L. Burnam made his opening statement.

Mr. Lawrence Wilson, Attorney at Law, Legal Office, made his opening statement.

Statements were then made by the following persons:

Lieutenant William Koenig
Commanding Officer FTO Program (Con)

Vandy Phillips (Pro)

Mr. Arthur Rose, English Teacher (Pro)

Jack Ballentine (Pro)

Sergeant Robert Berry

A closing statement was then made by Mr. Jack L. Burnam, Defense Attorney.

A closing statement was also made by Mr. Lawrence Wilson, Prosecuting Attorney.

The Commission, after listening to statements by Defense and Prosecuting Attorneys, took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 523-79

DECISION - HEARING RELATIVE TO THE TERMINATION
OF POLICE OFFICER VANDY PHILLIPS

WHEREAS, on January 18, 1979, Chief of

Police Charles R. Gain, terminated Vandy Phillips as a Police Officer of the San Francisco Police Department for failure to achieve the minimum acceptable standard for field performance for a person engaged in patrol duties in the San Francisco Police Department Training Program; and

WHEREAS, it was discovered that because Police Officer Vandy Phillips was under a temporary appointment and being paid with other than Ad Valorem funds, the Chief's Termination Order could not be final until approved by the Police Commission; and

WHEREAS, a hearing on said termination of Police Officer Vandy Phillips was heard before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco on Wednesday, August 15, 1979, and on Wednesday, August 15, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the Chief's Termination Order made and imposed upon Police Officer Vandy Phillips is justified and proper; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's Termination Order made and imposed upon Police Officer Vandy Phillips be, and the same hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER DONALD JONES.

The hearing relative to the termination of Recruit Officer Donald Jones was called, it having been set for this date.

Mr. Donald Jones appeared in person and stated that because his attorney was called away in a last minute emergency case, he was requesting

that his hearing be continued to September 5, 1979.

The Commission then continued the hearing relative to the termination of Recruit Officer Donald Jones to Wednesday, September 5, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER VALCOUR L. EUGENE

The hearing relative to the termination of Recruit Officer Valcour L. Eugene was called, it having been continued from the meeting of August 8, 1979.

Mr. Lawrence Wilson, Legal Office, representing the Police Department asked that the matter be continued until September 12, 1979.

The Commission then adjourned at 2200 hours and continued the hearing relative to the termination of Recruit Officer Valcour L. Eugene, to Wednesday, September 12, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting at 2200 hours.

J. A. C. 2
[Signature]
SECRETARY

22 AUGUST 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 22, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Siggins

ABSENT: Commissioner Toler

NOV 6 1979

Commissioner Siggins presiding.

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

5699 CALIFORNIA STREET - FUGI LAUNDRY

- a) At 5699 California Street, install a 22' green zone, extending from west property line 22' east of same.

#5-12th STREET - BOAS INTERNATIONAL MOTOR

- a) At #5-12th Street, install a 19' yellow zone, extending from 63' to 82' south of north building line between fire hydrant and business driveway.
- b) Remove meter #5-12th Street.

600 ITALY STREET - EPIPHANY GRAMMER SCHOOL

- a) At 600 Italy Street, install a 93' white zone, extending from 15' to 108' east of Naples Street.

455 IRWIN STREET - A & D PROPERTIES

- a) At 455 Irwin Street, install a 27' yellow zone, extending from west property line 27' west of same.

2121 MARKET STREET - ACADEMY OF BALLET

- a) At 2121 Market Street, install a 22' white zone, extending from 11' to 33' west of east building line 2117 Market Street.

445 HAYES STREET - SING LEE CLEANERS

- a) At 445 Hayes Street, install an 18' yellow zone, extending from west property line 18' east of same.

720 MINNESOTA STREET - S.F.P.D.

- a) At 720 Minnesota Street, revoke existing 18' yellow zone, extending from 3' to 21' south of old building line.

700 MINNESOTA STREET - S.F.P.D.

- a) At 700 Minnesota Street, revoke existing 36' yellow zone, extending from 15' to 51' south of 19th Street.

2400 GREENWICH STREET - S.F.P.D.

- a) At 2400 Greenwich Street, revoke existing 20' yellow zone, extending from 6' to 21' west of Pierce Street.

875 FOLSOM STREET - AUSTIN HEALY WEST

- a) At 875 Folsom Street, revoke existing 30' yellow zone, extending from 3' to 33' west of the east building line.

540 BUSH STREET - S.F.P.D.

- a) At 540 Bush Street, revoke existing 18' yellow zone, extending 18' east of west property line.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 122 feet of yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 531-79

JOHN J. WHELAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of John J. Whelan against the City and County of San Francisco in the sum of \$1,037.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 11, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 524-79

THOMAS M. CUNNINGHAM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Thomas M. Cunningham against the City and County of San Francisco in the sum of \$809.15 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 1, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 525-79

ANTONIO T. MALDONADO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Antonio T. Maldonado against the City and County of San Francisco in the sum of \$246.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 30, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 526-79

SUZETTE E. SHEETS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Suzette E. Sheets against the City and County of San Francisco in the sum of \$7.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 14, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

CLAIM OF ROBERT E. HEILIG JR., AND HIS ATTORNEY
IN THE SUM OF \$1,500.00 - CANCELLED

RESOLUTION NO. 528-79

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR
ISIAH NELSON III, INTELLIGENCE UNIT, AT THE SPE-
CIALIZED SURVEILLANCE EQUIPMENT COURSE AT REDWOOD

CITY, CALIFORNIA, FROM SEPTEMBER 17, 1979 TO
SEPTEMBER 21, 1979, INCLUSIVE

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Isiah Nelson III, Intelligence Unit, be detailed to attend the Specialized Surveillance Equipment Course at Redwood City, California, from September 17, 1979 to September 21, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Assistant Inspector Isiah Nelson III, Intelligence Unit, in a sum not to exceed \$272.50, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 529-79

AUTHORIZING ATTENDANCE OF SERGEANT ROBERT HANKINS,
POLICE OFFICERS BRIAN D'ARCY, ROBERT DEL TORRE,
ROBERT HOCH, GLENN PENNEBAKER, CRIMES SPECIFIC TASK
FORCE, AT THE ADVANCED SPECIAL WEAPONS AND TACTICS
TRAINING COURSE AT SANTA ROSA, CALIFORNIA, FROM
SEPTEMBER 17, 1979 TO SEPTEMBER 21, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Robert Hankins, Police Officers Brian D'Arcy, Robert Del Torre, Robert Hoch, Glenn Pennebaker, Crimes Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Training Course at Santa Rosa, California, from September 17, 1979 to September 21, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Robert Hankins, Police Officers Brian D'Arcy, Robert Del Torre, Robert Hoch, Glenn Pennebaker, Crimes Specific Task Force, in a sum not to exceed \$261.25 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 530-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved.

Assistant Criminalist)	\$303.00	(At the Soil Micro-
Bruce Fukayama)		(scopy Workshop at
Crime Laboratory)		(Los Angeles, Cal-
		(ifornia, from July
		(30, 1979 to August
		(1, 1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

The Commissioners, having received, amended and returned copies of the minutes of the meetings of July 2, 1979 and July 11, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief DeAmicis: "There is no Chief's report tonight, Commissioners."

Commissioner Siggins: "Any questions of Chief DeAmicis?"

Commissioner Murphy: "Well, to make it official, I'd like to request that we have an interim report on the results of the findings of the riot of May 21, the necessity for re-doing some of the communications and that sort of thing. I think you have a list of them. There are 7 items. I would like an interim report as soon as convenient."

Commissioner Siggins: "Okay, anything else?"

Commissioner Sanchez: "Or for the record, is it possible to just have a brief statement Lieutenant about the SRI Investigation, and it was my understanding that it passed the Supervisors, I think there was a report in the paper, 6 to 5 so now I guess all things that are written within the city contract have been acceptable, or will be, or are acceptable to both parties and so it's just a matter of signatures, is that correct?"

Lieutenant Frazier: "That's correct Commissioner. It's just a matter now of getting the signatures from the appropriate personnel. For instance, the President of the Police Commission, a fellow by the name of Mr. Ribera from SRI (Stanford Research Institute), the City Attorney, the Chief Administrative Officer and the Purchaser of Supplies."

Commissioner Ciani: "Wasn't there a date in that agreement by which it was hoped that the investigation would be complete?"

Commissioner Sanchez: "August 9th, I believe."

Lieutenant Frazier: "Yes, Commissioner, August 9th was the original completion date, or date they were going to try to meet. However, since work did stop when they started to have contract difficulties, a new date now will have to be forecast. Once the contract is in their hands, I understand they will come up with a date, say, maybe tomorrow about noon for us."

Commissioner Siggins: "Right. I talked to Mr. John Taylor last night, he is from Stanford Research and he told me that he would try to get back to me today, a time schedule, and he didn't, as I left the office at 5. I anticipate that he will call me tomorrow, if so, I will report on it. You will distribute it?"

Lieutenant Frazier: "Yes, I will be in touch with him tomorrow. In fact, I spoke to him after you spoke to him and I told him that it was a possibility that we would not be able to get the signed contract to him tonight and in that case he said he would have to wait to get the contract before he could come up with that date for us."

Commissioner Murphy: "Should we, I suppose we should have really done this when the traffic people were here, but this white zone granted to the Century Theatre, the inquiry on that is that they are not allowing it because the Century Theatre doesn't have a permit to operate. What's our next step on that?"

Lieutenant Frazier: "Well, I think that is a request that that matter be re-opened and re-enter-tained by the Commission as to whether the white zone in front of that Theatre should, or should not be granted."

Commissioner Siggins: "Well, this was the appli-cation for 816 Larkin Street where the old Larkin Theatre was located. We granted it but then the Chief has pointed out to us that actually the new Theatre that's called the Century Theatre, does not have the required police permit to operate."

Commissioner Ciani: "Are they in the process of getting a permit or have they been closed down for lack of a permit at this stage?"

Commissioner Siggins: "It was turned down by the Police Department and as I understand it... er at the Board of Permit Appeals, is that cor-rect?"

Officer Suslow: "That is correct. I am Officer Suslow from the Permit Section. That is correct."

Commissioner Ciani: "So in the meantime they are not operating, is that right?"

Officer Suslow: "They are not supposed to be without a permit."

Commissioner Siggins: "So why don't we hold up...."

Commissioner Murphy: "Well, shouldn't we calendar it?"

Commissioner Ciani: "Didn't the gentleman who ap-peared before us say it was a private club?"

Officer Suslow: "They applied for an Adult Theatre Permit and they were denied on July 19th of this year."

Commissioner Siggins: "And he spent \$150,000 dol-lars on the ceiling."

Commissioner Ciani: "Well, should we put that on for next week?"

Commissioner Siggins: "Tell Traffic to put it on."

Lieutenant Frazier: "Okay, we will put it back on the Traffic Calendar for next week for re-consideration."

Commissioner Siggins: "Do you want to take this letter so you can remind yourself?"

Lieutenant Frazier: "Yes sir."

POLICE COMMISSION DISCUSSION REGARDING THE HONDA BIKE PATROL, AND UTILIZATION OF DEPARTMENT VESPA MOTOR SCOOTERS.

Captain Charles Ellis of the Crime Specific Task Force was introduced to the Commission by Deputy Chief DeAmicis to speak to this item. Captain Ellis stated that when he assumed command of the CSTF the first of the year there were 6 men assigned to the Hondas and that it had been that way for several years, but since he has been there, in the past 8 months, they have doubled the compliment. He stated that two Hondas are assigned to McLaren Park every day, from 10 in the morning until six in the evening and 7 days a week. He stated that their primary assignment is in the Hayes Valley Western Addition area. He said the Hondas have the added assignment of Golden Gate Park, specifically Children's Playground with passing calls there and also the DeYoung Museum. He said that they are extremely beneficial and a real good crime tool, particularly in the Western Addition Housing Developments where there is just small pathways and openings that the Hondas can get through very easily. He said they have 14 Hondas in operation now with 12 officers and 1 sergeant assigned. He continued by saying that they are also used at Candlestick Park, 4 assigned to every ball game. He stated that they make a lot of arrest and issue a lot of citations, that they are very active, and there is a very high morale factor within the unit. He says, also, that recently they have gone into the Mission District to work on the Low Rider incidents and that they have utilization of the Vespa Motor Scooters. He said he had spoken to Captain Jeffery, Commanding Officer of Mission Station, and that Captain Jeffery stated that he was using the Vespas in Dolores Park and was very happy with them. However, he stated, that he did not know of any other Captains in the Department using them in their Districts.

Commissioner Murphy then stated that a determination should be made as to who and how many other District Captains are using Vespas.

Commissioner Sanchez requested information on the feasibility of Environmental Control Officers using the Vespas to aid them in their travels throughout the many areas of the city in providing their services.

REVIEW BY THE POLICE COMMISSION OF THE EFFECTIVENESS OF INCREASING JITNEY BUS PASSENGER LOADS, REQUESTED BY THE PERSONS LISTED BELOW, FROM TWELVE PASSENGERS TO FIFTEEN PASSENGERS AFTER A TRIAL PERIOD FROM JULY 25, 1978 TO AUGUST 15, 1979:

Abraham Endzweig
Howard Goldstein
Herbert Meier
Eugene Brenner
Mendell Milstein

Julio Bracco
Satian Phongpitag
Louis J. Ponti
Jose L. Ma

Commissioner Siggins stated that about a year and a half ago the parties named had wanted to increase their passenger capacity to 15 persons. He stated the Police Commission agreed to give them conditional permission for the above stated trial period.

Officer Bob Ferrier of the Taxi Enforcement Detail, stated that after over a year of enforcing Jitney Regulations by virtue of increasing the passenger capacity that he has not had any enforcement problems. He then stated that there was a representative here from the Muni, Barbara Brown, who wanted to speak to the issue.

Ms. Brown stated that she was a Transit Planner for Muni Railway. She said that Muni has no objection to the nine people who were allowed to increase their passenger capacity. She continued by saying that the only thing that they would like to go on record regarding this is their general policy about jitneys. She stated that they would not want the Commission to go on thinking that now there is no objection and go on approving many more jitneys increasing their passenger capacity. She said their basic concern is that Muni fares are 25¢ with a nickle reduction discount for seniors, elderly and students. So that means when they look at where they are getting their farebox revenue from, the person who pays the 25¢ full cash fare, is a real bonus patron. She says that that is someone who would take a jitney and it would most likely be one of those patrons. She stated that seniors and students would most likely take the Muni Bus because it is considerably cheaper. So what happens, she said, is that they lose a significant number of their cash fare patrons who help subsidize the Muni to the jitneys, and at the same time, there isn't that amount of reduction of how much service they have to provide so that they can

say, pull a couple of busses off, or that kind of a thing. She said their feeling is that since the Muni is publicly subsidized there is a responsibility to try and bring more revenue into it. She said what they are doing now is going through the final arrangements in having BART accept the Muni Fast Pass so that everything along the Mission Corridor now, BART and Muni, would bring revenue into the Muni and that is not the case of the Jitneys. So, she said, policy-wise they don't agree with them, but the Muni has no objection to these nine persons here today.

Commissioner Siggins then thanked Ms. Brown and the Commission then adopted the following resolution:

RESOLUTION NO. 532-79

POLICE COMMISSION REVIEW OF THE EFFECTIVENESS OF INCREASING JITNEY BUS PASSENGER CAPACITY FROM TWELVE PASSENGERS TO FIFTEEN PASSENGERS AFTER A TRIAL PERIOD FROM JULY 26, 1978 TO AUGUST 15, 1979.

WHEREAS, the below listed Jitney Bus Owners and Operators requested, by letter, a hearing before the Police Commission for the purpose of acquiring permission to increase their passenger capacity from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, their request was granted subject to review by the Police Commission after a trial period from July 26, 1978 to August 15, 1979; and

WHEREAS, the Police Commission having received satisfactory reports from Police Department Staff and Muni Railway Staff, that Muni Railway did not object to the current number of owners operating with fifteen passengers; therefore be it

RESOLVED, that the Police Commission, having received satisfactory reports on the effectiveness of the operation of those jitneys with increased passenger capacities, does hereby remove the previous conditional temporary approval and grant permanent approval of said increase to the below listed Jitney Bus Owners and Operators.

Abraham Endzweig	Eugene Brenner	Satian Phongpitag
Howard Goldstein	Mendell Milstein	Louis J. Ponti
Herbert Meier	Julio Bracco	Jose L. Ma

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 533-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR FUNDING
THE SALARY STANDARDIZATION OF UNIFORMED SALARIES
AND THE MANDATORY FRINGE BENEFITS ASSOCIATED WITH
THE INCREASES IN UNIFORMED SALARIES.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$10,397,643 to fund the Salary Standardization of Uniformed Salaries and the Mandatory Fringe Benefits associated with the increases in Uniformed Salaries for the 1979-80 Fiscal Year.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

PUBLIC HEARING ON THE ISSUANCE OF A SECOND HAND
DEALER PERMIT, 2895 THIRD STREET, SAN FRANCISCO.
(AUTO PARTS AND ACCESSORIES)

Officer Suslow: "Commissioners, I am Officer Suslow of the Permit Section. The matter before you tonight is a permit application by Mr. Henry Collier and Mr. Arnold Price for a Second Hand Dealer Auto Parts and Accessories Permit to be used at 2895 Third Street. The Police Commission is the issuing authority for Second Hand Dealer Auto Parts and Auto Accessories Permits under Section 1237 of the Municipal Police Code. Other City Agencies have submitted written recommendations. The recommendations are for approval of the permit request with stipulations being requested by the City Planning Department and the Fire Department, the Southeast Police District and the Auto Detail have also recommended approval. The Permit Section recommends that the Police Commission grant this permit."

The Commission, after listening to testimony from the applicants and Officer Michael Mahoney of the Southeast Police Station, adopted the following resolution:

RESOLUTION NO. 534-79

PUBLIC HEARING ON THE ISSUANCE OF A SECOND HAND
DEALER PERMIT, 2895 THIRD STREET, SAN FRANCISCO
(AUTO PARTS AND ACCESSORIES)

WHEREAS, the Police Commission on August

22, 1979, heard the application of Henry A. Collier and Arnold J. Price dba "Ajax Auto Dismantlers Inc.," for the issuance of a Second Hand Dealer Permit at 2895 Third Street, in the City and County of San Francisco; and

WHEREAS, applicants appeared in person and presented oral testimony in support of their application indicating their intent to employ nine persons thereby providing additional jobs for residents of San Francisco; and

WHEREAS, written recommendations of approval were submitted from Southeast Police Station, the Department's Auto Section and other appropriate City agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Section 1237 of the San Francisco Municipal Code (Police Code) does hereby grant to Henry A. Collier and Arnold J. Price dba "Ajax Auto Dismantlers Inc.," a Second Hand Dealer's Permit for the purpose of buying, selling, exchanging, storing or dealing in used or second hand automobiles, motor vehicles, motorcycles, equipment, storage batteries and parts of automobiles or automobile accessories at 2895 Third Street in the City and County of San Francisco.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

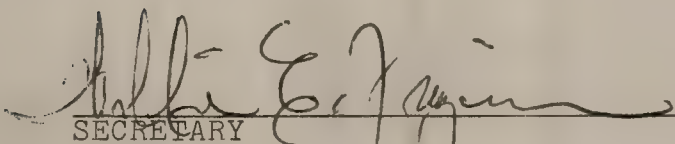
NOT VOTING: Commissioner Toler

POLICE OFFICER WILLIAM L. TRANER - IN MEMORIAM

A communication was received from Chief of Police Charles R. Gain, officially notifying the Police Commission of the death of Police Officer William L. Traner, Crime Specific Task Force, on Tuesday, August 21, 1979.

The communication was ordered filed.

The Commission then adjourned its meeting at 1905 hours in memory of Police Officer William L. Traner.


SECRETARY

179
29 AUGUST 1979

REGULAR MEETING

Minutes
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, August 29, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,
Toler Siggins

NOV 6 1979

Commissioner Siggins presiding.

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PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Siggins: "It was my pleasure to be appointed by the Commission as Chairman of the last meeting of the Awards Committee, however, just prior to the meeting I was called out on an emergency and Deputy Chief Kevin Mullen presided at that meeting on my behalf, and I want to thank him for that. But on behalf of the entire Police Commission I want to congratulate the winners of the Gold, Silver and Bronze Medals of Valor that we are honoring here tonight and on behalf of the citizens of San Francisco I want to congratulate each one of you and each member of your family. I want to congratulate those of you who are here and also those who were not able to attend, and special congratulations to those members of the family. Once again to preside, really, as a citizen at an Awards Committee Meeting and to see the deeds that are done by these officers when the things just don't have to be done and the risk that they take, I think is a distinct pleasure for a Commissioner to chair them and then to come and present these certificates and medals to you. I would like to remind the spouses of the recipients that we, as Commissioners, consider that the monetary award is community property, but at any rate, once again, congratulations on behalf of this Commission and the public of San Francisco. May we call the recipients please."

PRESENTATION OF THE MEDAL OF VALOR AWARDS AND CERTIFICATES

The following-named members of the Police Department were presented Medal of Valor Awards and Certificates at the Commission Meeting by Commissioner Siggins:

Assistant Patrol Special
Officer Steven Patrick Mroz.....Gold Medal

Assistant Inspector Thomas
J. Gerard.....Silver Star

Police Officer Victor E. Fleming...Silver Medal

Police Officer William D. Langlois.Silver Star

Police Officer Lee A. McVeigh.....Silver Star

Police Officer Stephen J. Venters..Silver Star

Police Officer Harold F. Winkler...Silver Medal

Patrol Special Officer Alfred
Grenci.....Silver Medal

Patrol Special Officer Bruce
M. Lowe.....Silver Medal

Inspector Charles E. Brewster.....Silver Medal

Inspector Roy C. Hicks.....Silver Medal

Police Officer Daniel B. Boden.....Bronze Star

Police Officer Louette M.
Colombano.....Bronze Medal

Police Officer Timothy J. Connell..Bronze Star

Police Officer Edbert T. Dare.....Bronze Medal

Police Officer Leonard G. Jeong....Bronze Medal

Police Officer Leslie D. Krakowsky.Bronze Medal

Police Officer Michael N. Maloney..Bronze Medal

Police Officer Marty L. Way.....Bronze Medal

Commissioner Siggins: "I would like to, if I may, read the citation that was made by Commander Cornelius Murphy, then Captain of Central Station, in his nomination of Assistant Patrol Special Officer Steven Patrick Mroz:

"ASSISTANT PATROL SPECIAL OFFICER
STEVEN PATRICK MROZ

GOLD MEDAL OF VALOR

For services rendered on Thursday, November 16, 1978, at approximately 0420 hours, while enroute to report for duty, had his attention drawn to a fire at 310 Columbus Avenue, the Dante Hotel. He immediately entered and ran up and down the hallways of several floors arousing and warning the tenants who were then able to flee the burning premises. The Officer then exited the hotel and noted that the fire had spread to

the building next door. He then entered that building and aroused approximately 20 persons who also fled to safety. He heard screams coming from an adjacent building on Fresno Alley. He went down to the alley but could not gain entrance to the building. He then vaulted a fence which crossed over the property and climbed up to a ledge 20 feet above the ground. He straddled the ledge to a sewer pipe and then climbed the sewer pipe to the second story where he knocked the glass out of a window and crawled through. The smoke there was very thick, forcing him to crawl on his hands and knees to the sound of the screaming. He found two men (apparently transients) in a state of panic. He then led one and carried the other. As this was an old abandoned, barricaded building with large gapping holes in the floor, with poor lighting, and thick black smoke, his exit was slow. He asked the men if anyone else was in the building and they indicated that there might be someone else on the third floor. Having led the men to safety the Officer then went to the third floor and searched to no avail. At this point the roof of the building collapsed and the officer had to hurriedly leave the building via the sewer pipe to the second floor where he first entered and from there down to the street below. As a result of this incident Officer Mroz had to be treated at Central Emergency Hospital for smoke inhalation and severely bruised ribs. For his heroic efforts, the Awards Committee of the San Francisco Police Department granted him a Gold Medal of Valor."

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning, for the regulation of traffic on the public streets, be, and the same are hereby approved:

1122 FOLSOM STREET - THORSEN WAREHOUSE

- a) At 1122 Folsom Street, install a 22' yellow zone, extending from 8' to 30' west of east property line.

10 BEALE STREET - 333 MARKET BUILDING

- a) At 10 Beale Street, install a 44' yellow zone, extending from 56' to 100' south of north property line.

APPROXIMATELY #31 FREMONT - 333 MARKET BUILDING

- a) At approximately 31 Fremont, install a 46' yellow zone, extending from 72' to 118' south of north property line.

1358 GRANT AVENUE - PANAM CANAL RAVIOLI FACTORY

- a) At 1358 Grant Avenue, revoke existing 36' yellow zone, extending from 10' to 46' south of Green Street.
- b) At 1358 Grant Avenue, install a 36' Special Truck Loading Zone, & AM to 6PM from 10' to 46' south of Green Street.

2600 LAGUNA STREET - ISABELLA TOWERS

- a) At 2600 Laguna Street, revoke existing 40' yellow zone, extending from 9' to 49' north of Broadway.

599 BEACH STREET - HOLIDAY INN

- a) At 599 Beach Street, revoke existing 40' yellow zone, extending from 40' east of Leavenworth Street for bus zone. Leave 26' yellow.

1809 IRVING STREET - ARNIE'S LIQUOR

- a) At 1809 Irving Street, revoke existing 32' yellow zone, extending from 10' to 42' west of 19th Avenue.
- b) Request to be replaced with 15 minute meters.

19 MAIN - S.F.P.D.

- a) At 19 Main, revoke existing 49' yellow zone, extending from 90' to 139' south of Market Street.

23-33 MAIN - S.F.P.D.

- a) At 23-33 Main, revoke existing 74' yellow zone, extending from 126' to 200' south of Market Street.

49 MAIN - S.F.P.D.

- a) At 49 Main, revoke existing 40' yellow zone, extending from 33' to 73' south of north property line.

16-22 BEALE STREET - S.F.P.D.

- a) At 16-22 Beale Street, revoke existing 36' yellow zone, extending from 36' north of south line of building.

2 SPEAR STREET - S.F.P.D.

- a) At 2 Spear Street, revoke existing 57' yellow zone, extending from 6' to 63' south of Market Street.
- b) At 2 Spear Street, revoke existing 60' green zone, extending from 63' to 123' south of Market Street.

16 SPEAR STREET - S.F.P.D.

- a) At 16 Spear Street, revoke existing 27' yellow zone, extending 27' south of north property line.
- b) At 16 Spear Street, revoke existing 21' green zone, extending from 3' south to 18' north of the south property line.

70 SPEAR STREET - S.F.P.D.

- a) At 70 Spear Street, revoke existing 20' yellow zone, extending 20' north of south building line.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 532 feet of yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 535-79

JAIME R. BUITRAGO AND AURA M. BUITRAGO
AND THEIR ATTORNEYS

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Jaime R. Buitrago and Aura M. Buitrago in the sum of \$12,000.00 in Superior Court Action No. 721-933 entitled "Jaime R. Buitrago and Aura M. Buitrago vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 16, 1977

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 536-79

MARIAN JOYCECHILD

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marian Joycechild against the City and County of San Francisco in the sum of \$46.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: From May 5, 1979 to May 29, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 537-79

AUTHORIZING ATTENDANCE OF CAPTAIN FORD E. LONG, PLANNING AND RESEARCH DIVISION, AT THE NCIC (NATIONAL CRIME INFORMATION CENTER) IN ALEXANDRIA, VIRGINIA, FROM OCTOBER 30, 1979 THROUGH NOVEMBER 1, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Captain Ford E. Long, Planning and Research Division, be detailed to attend the NCIC (National Crime Information Center) in Alexandria, Virginia, from October 30, 1979 to November 1, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Captain Ford E. Long, Planning and Research Division, will be paid by the National Crime Information Center.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 538-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Richard D. Klapp)	\$182.00	(At the Basic
Personnel & Training	)	(Course Revision
		(Consortium Work-
		(shop at San Diego,
		(California, from
		(August 15, 1979 to
		(August 16, 1979,
		(inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Lieutenant Edward H. Hartman, Southeast Station, for service, effective August 1, 1979.
- b) Inspector Erney C. Ellison, Bureau of Inspectors, for service, effective August 6, 1979.
- c) Police Officer James E. Howard, Traffic Bureau, for service, effective July 18, 1979.

The Communications were ordered filed.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief DeAmicis: "Mr. President, Commissioners, there is no Chief's Report to the Commission."

Commissioner Sanchez: "Mr. Chairman, if I might, I just received, along with my colleagues and you, a copy of this letter pertaining to the centralized community relations unit, etc. It's scheduled, I believe, for September 5th, as far as having an agenda item on that, and unfortunately I will be at the University of New Mexico for that week. I have to give a paper over there and I cannot be here, and I would like to see if perhaps we could hold this over to the following week, which will be what? September 12th? Whereby we might have time to both review this and have comments and discussion so that this way we would have a full Commission, if that would be the direction of the Commission."

Commissioner Siggins: "Naturally, we would like to have a full Commission. Have we done anything about scheduling things for September 5th in regard to this?"

Lieutenant Frazier: "Nothing, I think September 5th was set aside for the OFJ President to make a statement in answer to the Chief's Report on the Community Relations issue."

Commissioner Siggins: "Okay, let's put it over to the 12th."

Commissioner Murphy: "That is true. Didn't we want to arrange for a public hearing from others as well as OFJ? I don't care whether it is on the 12th, or the 5th. I have gotten several requests, or comments, and so on, supporting this idea of reforming of the Community Relations Division."

Commissioner Siggins: "There was some questions that were put out by the Chief's letter and Inspector Sanders asked to respond to them, and he wanted some time and he wanted to respond to them and he asked for the September 5th date. Let's put that over to September 12th and then we will have that for September 12th and then if we want to have a public hearing then we can go ahead and do it, but let's keep it in house at this time."

Commissioner Murphy: "But then I think we ought to ask the POA if they want to make any comments about it as well as other organizations."

Lieutenant Frazier: "I would take it that the Mayor would be notified that the matter would be discussed at the September 12th meeting."

Commissioner Siggins: "Well, I haven't had a chance to read the letter, it's a letter to all of us."

Commissioner Sanchez: "Well, we can just inform her of the fact that it is calendared for the 12th."

Commissioner Siggins: "Okay, fine."

Commissioner Murphy: "And we should give her the reason we are not doing it any earlier."

AUTHROZING THE CHIEF OF POLICE TO ENTER INTO A
CONTRACT FOR PROFESSIONAL SERVICES OF DR. MIMI H.
SILBERT AS DEPARTMENTAL TRAINING CONSULTANT.

Deputy Chief DeAmicis: "Mr. President, Lieutenant Richard Klapp, the training manager for the Department is here and he would like to speak to the issue."

Lieutenant Klapp: "Commissioners, this contract is proposed to address the pressing issues which confront the department in the next year. First and foremost of which is compliance with the Federal Court Consent Decree. And in the initial compliance phase we will be required to train, at the basic level, 320 recruit officers. That will be a continuous recruit training program. Included also by a condition of the Consent Decree is the training of 264 Sergeants in the state required supervisory course. In meeting these conditions we are faced with the continuing scrutiny of our content validity, job relatedness of curriculum, objectivity of testing and in this regard Dr. Silbert will perform services in which she will monitor, scrutinize and evaluate our curriculum and prepare professional evaluations. She will do test preparations, test analysis and within that test analysis, item analysis to ascertain that there are no racial, ethnic, or language bias and questions in the activity portions of the curriculum. She will also perform professional evaluation of our Supervisory curriculum which we piloted, as you are aware, some three years ago for the state. That's also a performance objectives curriculum. We have four courses which have been completed which will require evaluation to insure again that our content validity is insured, that we are, in fact, job related in that curriculum and that it's meeting current standards. She will perform a training needs assessment to insure that we are, in fact, in compliance with the Federal Court Consent Decree and also in compliance

with the standards set forth by the Commission on Peace Officers Standards and Training. Included in that function will be a diagnostic testing program for the recruit level, which is a proposal that has been introduced. She will also assist in devising a computerized system to complete the performance objectives tracking, which is a problem at the present time. And for the purposes of these functions which are necessary to meet both Federal Standards this contract is proposed by the Chief of Police."

Commissioner Murphy: "Yes, Lieutenant Klapp, a diagnostic recruit plan, is that anticipating some diagnosis as to the personality qualities of recruits, as to their adaptability and appropriateness in their personality to police work?"

Lieutenant Klapp: "No, Commissioner, we have conducted, for three years, remedial training programs within our academy and that addresses students who are experiencing difficulties in the curriculum. We have provided remedial training to assist them in meeting the scholastic criteria."

Commissioner Murphy: "And it's purely scholastic and not personality problems?"

Lieutenant Klapp: "This deals with not only the scholastic but also the activity portions of the curriculum. We are expanding that remedial training program this year with the assistance of the Community College System. We are providing a separate but supplementary remedial program. What we would like to do where students are experiencing scholastic difficulties, there is a proposal for a diagnostic test and at present it is contemplated that it will be given through the University of San Francisco to diagnose exactly where the students problems are, whether it be reading and writing skills, reading comprehension and those types of things. So she is proposing and will prepare that diagnostic testing program, but it is scholastic."

Commissioner Toler: "Or through the Chair, Lieutenant Klapp, has Dr. Silbert completed all of the functions you just mentioned?"

Lieutenant Klapp: "Yes, she did."

Commissioner Toler: "How long has she been with us now?"

Lieutenant Klapp: "She has been with us two years."

Commissioner Toler: "Those functions you mentioned she has completed all of those already?"

Lieutenant Klapp: "Yes, there is a different dimension to this function though Commissioner, the dimension being is the new issues we face in the Consent Decree, and the new standards set forth by POST."

Commissioner Sanchez: "Or through the Chair, I want to ask a few questions on this. I see where the contract is quite extensive, including the contractors, Research Associates and aides, whatever. During the past two years under this contract have there also been research associates aides, content validity specialist, psycho linguist, criminologist, etc., that basically she has utilized as far as evaluation of our program?"

Lieutenant Klapp: "Yes."

Commissioner Sanchez: "Has there been some external evaluation of the unit, per se, within the past two years, that has been done either within the department or externally?"

Lieutenant Klapp: "Of Dr. Silbert's services?"

Commissioner Sanchez: "Yes."

Lieutenant Klapp: "Yes, there has been considerable scrutiny and there were deliverables which were, in fact, satisfactory and met our needs imminently, yes."

Commissioner Sanchez: "Actually I would like to request for consideration that we hold this over for two weeks until such time as the Commission gets copies and reviews the training programs that have gone on for the past two years, and reviews the evaluations that have been done of both the content of the programs, psycho linguistic, curriculum development, etc., so this way we could better understand and focus in rather than vote tonight. I have read through this twice and I was hoping that there would be some base line data showing what, in essence, has been done over the past two years, as I said also, in reference to what research associates have been utilized. What the evaluations of those are? We have heard in a number of hearings recently where there has been some remedial services performed. I don't know what the correlation is between that and between her services, I would hope that we could have a written report so this way we could better understand what, in essence, we are doing as far as this commitment, which is major."

Commissioner Siggins: "Well Commissioner, we have gone through the, well first of all the dazzling array of talent that is shown by Dr. Silbert right from the very beginning. We have been following this right along and have been rewarded with compliments from Police Officers Standards and Training for her work. We know that, this is certainly something you can look into at any time you want to. Is there a time problem on this?"

Commissioner Murphy: "Yes, there is a time element."

Lieutenant Klapp: "Yes, we are into very hurried preparations to move into our new facility and to prepare staff facilities resources to commence this lengthy period of training as you are well aware. It will probably take two and a half years in the recruit area of constant training. We will not have a period during that cycle of two and one half years that we will not be doing recruit training."

Commissioner Sanchez: "Basically, this contract cited here is for October, correct, so therefore, you are asking for an extension for two years?"

Lieutenant Klapp: "No sir, this is a one year contract."

Commissioner Sanchez: "This says, basically, October and we are now in August, we, you know, basically, two weeks would give us some idea of their applications and the areas that have been quite significant according to President Siggins, but I personally have not seen anything in writing, or have I ever recalled reviewing anything on this Commission since I have been aboard pertaining to certain contact areas that have been discussed in the initial design here."

Lieutenant Klapp: "There is considerable material available Commissioner, in essence, as to evaluation of training programs if I might add sir, we have been officially commended by the Commission on Peace Officers Standards and Training as having the exemplary recruit training program in the state."

Commissioner Sanchez: "I think that's outstanding Lieutenant, I am not saying that, basically it hasn't, I, just as one Commissioner, would like to see what data we have pertaining to the past two years progress and, especially, when we are talking about a

significant amount of money including ex-number of dollars for research associates, and consultants dealing with some very critical areas of internal content validity, program and computer specialty, psycho linguistic skills, not talking about the criminology base which hasn't even projected in here, and I think it is important now, given the fact that we are talking about a Consent Decree with 320 people coming aboard, to insure that the programs we solicit and resources is second to none nationally, and I am just asking, basically, that the Commission consider a two week stay until at such time we have a chance to review it, ask questions, and perhaps have Dr. Silbert herself come here so we might ask these questions directly to her."

Commissioner Siggins: "Well, Dr. Silbert will be available to you at any time."

Commissioner Ciani: "Well, if there is time pressure here I would suggest that we move this ahead. I think we are extremely fortunate to have someone like Dr. Silbert available. She's been responsible for some of the most progressive and best things that have happened in this department in the last couple of years. I think you should have that material available to review but I see no reason to not pass this on the recommendation of the Chief and the Academy."

Commissioner Toler: "Or through the Chair, would this hamper your operation if this is delayed for two weeks?"

Lieutenant Klapp: "Our preparations will continue regardless. We do have four sets of evaluations from supervisory courses which have been completed for which we would like to have the professional evaluation completed in order that we may make any necessary adjustments or modifications in the curriculum for the 11 presentations which are facing us. We also have a supervisory course in progress at the present time so there will be a 5th set of evaluations that will come into that cycle."

Commissioner Sanchez: "Fine, so therefore, we have a unique opportunity to review these once they are submitted to the Commission for review prior to our vote on this very important part of the Consent Decree which is probably the basis of whether or not we will have an outstanding program or a second class one."

Commissioner Murphy: "If I may, I would like to address my remarks to Commissioner Sanchez. I think that three of us have had the opportunity to discuss both in public and in private Dr. Silbert and Lieutenant Klapp's training program. We

are quite familiar with it and very satisfied with it.

However, I understand your feelings and Commissioner Tolers' about it. It is relatively new to you and you have questions. However, in the interest of time, money, and progress that we really should go ahead and adopt this tonight.

It can always be modified in time and if there are serious laxities in it, then I am sure they can be modified, but in the meantime I will move that we accept this contract tonight."

Commissioner Sanchez: "Or through the Chair, if I might respond to Commissioner Murphy's comments, I have not had the opportunity to meet with Dr. Silbert in private, the only time that I think I met her personally is here at one of our public meetings about a year and a half ago. I am not in any way questioning her skills or her contributions. I know that she received her doctorate in Criminology at UC Berkeley, I know there are a number of other outstanding criminologist, some of them specialize in psycho linguistic, content validity, research methodology, etc., and a number of these are outstanding scholars, many of whom are minorities who have had an interest of participating over the past year. I think there is a major contribution the department could make if indeed we are going to talk about an open system of consulting, and I personally feel that I have not yet seen anything in writing pertaining to the unique contributions or the many successes of our training program. There are many questions I would like to ask and probably after reading the evaluations I might have a few more or else I may have none. I don't see what the great urgency is of two weeks because, in essence, planning is going to go on anyway. I am not saying we eliminate the program or restructure it, I am saying, I, in essence, would like to at least review what has gone on over the past two years, in public, and to present those findings, and perhaps Dr. Silbert and her staff could come here and address the Commission and at that time talk about where we are going, period. So, therefore, I would like to move that we table this for two weeks."

Commissioner Ciani: "There was already a motion on the floor."

Commissioner Sanchez: "But there was no second, I moved to table and I think he (Commissioner Toler) seconded it."

Commissioner Siggins: "Well you interrupted there."

Commissioner Ciani: "I would second Commissioner Murphy's motion."

Commissioner Siggins: "Question? Further discussion?"

Bob Barry: "Excuse me Commissioners, I would like to respond briefly. I concur with what Commissioner Sanchez has asked the Commission to do and I speak representing the Police Officers' Association and we have some concerns revelant to the Consent Decree, that we are involved in the monitoring process of the Consent Decree, and we are moving into Federal Court on the 11th to adopt some proposals that have been in the mill for the last several months. Now if Dr. Silbert is going to be presenting some proposals or programs relative to the Consent Decree in the future then I think it's encumbent that those proposals be made available to the Commission, available to the employee organization that's involved in the monitoring of the Consent Decree, because I think we can have some input, and certainly we would like to scrutinize what Dr. Silbert is heading for. I have some questions as to the amount of money that's involved in this contract and if that figure is known I would like to know that figure tonight."

Commissioner Siggins: "The figure that's presented is...here is the contract, you want a copy of it?"

Bob Barry: "Yes."

Commissioner Murphy: "You don't have a copy of that contract?"

Commissioner Siggins: "No he doesn't get a copy of the contract, but he can have this one, it is \$39,820.00."

Bob Barry: "And that's for a one year contract Commissioner?"

Commissioner Siggins: "Yes."

Bob Barry: "Thank you. And are there any psychological services contemplated in Dr. Silbert's proposal that the Commission's aware of?"

Commissioner Siggins: "I would think there probably were but I couldn't answer that."

Bob Barry: "Well if the Commission is not aware of that then I would strongly suggest that the Commission....."

Commissioner Murphy: "He said that he wasn't aware of it."

Bob Barry: "Then I would strongly suggest that the Commission put it over a couple of weeks so that we can all scrutinize this and before the Commission votes on it they could do so intelligently because I think there are a lot of questions that really have to be answered. That's the position of the Police Officers' Association."

Commissioner Siggins: "Any time that you want to come up with an idea for psychological services in the academy or in training you can come to us with them. You have been here before, your predecessor brought somebody in one night and we listened to him. Well listen, we will have that, we have a motion."

Bob Barry: "Well Commissioner, I just wanted to finish my point that if the Commission is not aware of the fact there may be psychological services contemplated by Dr. Silbert, then I think it would be premature for the Commission to adopt this contract."

Lieutenant Klapp: "There is nothing in the contract or the work statement regarding psychological services."

Commissioner Murphy: "That's right."

Bob Barry: "Thank you Commissioners, that's the position of the POA."

Commissioner Siggins: "Alright, call for the question. All in favor?"

AYES: Commissioners Ciani, Murphy, Siggins

NAYS: Commissioners Sanchez, Toler

Commissioner Siggins: "Three to two, the motion carries. I do think though that the Legal Department....the hold harmless aspect of that, is not complete. We have a sample here that would not comply with Mr. Agnost's requirements."

Deputy Chief DeAmicis: "Mr. President, if you would like that reviewed by our Legal Department, I will have it done."

Commissioner Siggins: "I was just pointing out that there is a certain minimum that the contract calls for that is not displayed here in her insurance policy."

Commissioner Sanchez: "Through the Chair if I might, I would like to find out if, in fact, some of us on this Commission might get some reports pertaining to what the concerns we had pertaining to the contract, to the strengths of it."

Commissioner Siggins: "Commissioner Sanchez I would consider that your job any time you had a question about that and I present to you that Dr. Silbert is ready, willing and able to answer any of the questions you might have. And if you want to get in touch with her tonight I am sure you can, tomorrow or at any time."

Commissioner Toler: "Lieutenant Klapp could we get copies of reports that would come to you from Dr. Silbert?"

Lieutenant Klapp: "Yes, those are actually reported to the Chief of Police Commissioners."

Commissioner Toler: "Thank you."

Commissioner Sanchez: "Lieutenant Klapp we also have data on the affirmative action policies of the Department in reference to her consultant firm and utilization of same for the past two years, can you also get that for us and also what her projections are in reference to utilization of minorities, especially in reference to this \$150.00 a day consultants and \$135.00 a day and her \$300.00 dolllar a day consultant fees for proposals that we know nothing about?"

Lieutenant Klapp: "Those are questions that she could address with you."

Commissioner Sanchez: "Well, I personally would rather have this reviewed at a public Commission Hearing rather than a private."

Commissioner Siggins: "You could have it done anytime you want Commissioner Sanchez, when do you want it, next week?"

Commissioner Sanchez: "Well we will hold it over until...you know, it's voted now, it's academic, but I would like to, basically, have the material and then sometime under the Chief's Report, whatever,

we could discuss it here and perhaps have her here and some of her staff here."

Commissioner Siggins: "Well let's have her here at one of the earliest times."

Commissioner Sanchez: "Possibly the 12th, or the week after that."

Commissioner Murphy: "The first evening we don't have a hearing, well let's have her."

RESOLUTION NO. 541-79

AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICE OF DR. MIMI H. SILBERT, AS DEPARTMENTAL TRAINING CONSULTANT.

WHEREAS, the Police Commission, upon presentation by the Chief of Police, has determined that the hiring and training of 620 Police Officers and the promotion and training of 264 Sergeants within a two year period commencing in October, 1979, as prescribed by the Federal Court Consent Decree, will require expert consulting services to insure compliance with State and Federal requirements; and

WHEREAS, the Commission has determined that Dr. Mimi H. Silbert has established the requisite qualifications to perform these services;

BE IT THEREFORE RESOLVED, that the Police Commission hereby authorizes the Chief of Police to contract for the professional services of Dr. Silbert to complete a Training Needs Assessment and to monitor evaluate and recommend necessary revisions in the Recruit and Supervisory Training Program for the San Francisco Police Department;

BE IT FURTHER RESOLVED, that expenses not to exceed \$39,820 incurred in the performance of this contract be defrayed by the Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Siggins

NAYS: Commissioners Sanchez, Toler

STATUS REPORT FROM CIVIL SERVICE ON LATEST Q2 EXAMINATION

Deputy Chief DeAmicis stated to the Commission that at their August 15th meeting the Commission had requested

a Status Report on the Q2 Examination. He then introduced Mr. Jeff Rothman, a Civil Service Affirmative Action Coordinator, who has been tracking the examination and asked him to give the Commission an overview of the examination's current status.

Mr. Rothman then gave the Commission a chronological breakdown of the events occurring with the examination concluding with the statement of the Civil Service Commission in that they wished to weight both the Oral Examination Phase and the Audio Visual Phase which he stated was a most unusual step for the Civil Service Commission and a great deal of concern was caused as the Commission delayed that decision and still proceeded with the examination. He stated that they had wanted a 50-50 weighting of the test, but has not as yet confirmed it. He said the Commission is meeting in an Executive Session next Tuesday at three o'clock, and the session will include the Chief of Police, the Mayor and the City Attorney and they will be reviewing certain parts of the Exam, and hopefully, shortly thereafter arriving at a conclusion regarding what weight they will assign to the two weightable parts of the Examination and what cut-off point they intend to establish for purposes of use of this particular test.

The Commission then thanked Mr. Rothman for his presentation.

PRESENTATION REQUESTING THAT THE POLICE GYMNASIUM
IN THE HALL OF JUSTICE BE MAINTAINED WHEN THE POLICE
ACADEMY MOVES TO FREMONT SCHOOL.

Deputy Chief DeAmicis: "Mr. President, the Chief has forwarded to you a petition signed by 82 police officers who are requesting that when the Police Academy which was slated to move, does in fact move to Fremont School that the Department retain the Police Gymnasium here on the fifth floor. The Chief has responded to that and you have it in your packet and a number of the petitioners are here this evening."

Commissioner Siggins: "Yes, and I understand that there is a time problem on that. Something has got to give tonight on our calendar because we have many more items but obviously this one is something that has to be heard. Is there any indication that there is a time limit on it?"

Deputy Chief DeAmicis: "That's right. We have delayed the move in order for you to entertain this petition and our final date of moving, I believe, is set for the fourth of September with the mover."

We also have a number of other reasons why we want to move. We want to start the training at Fremont School. We want to establish the recruit training so there are a number of reasons why we would like that move."

Commissioner Siggins: "Okay, so the basic thing is that we would have two gymnasiums, is that right? We would keep the one here and in Fremont School there would be a new one."

Deputy Chief DeAmicis: "That's correct."

Commissioner Siggins: "And then there is a space problem here in the building and there is some indication that the Board of Supervisors wanted to turn over some of that space to the Public Defender's Office."

Deputy Chief DeAmicis: "Yes sir, that was a tag on our Supplemental Reappropriation for Fremont School, however since that time we have been advised that the Director of Property in San Francisco, Mr. Wally Wortman is the individual who determines who gets what whenever a space is vacant. We have a number of requests that we have received, the Public Defender being one, the District Attorney being another and there is some question as to whether we will want to give up that space because what's coming in the offing is that we may consider bringing the Criminal Justice Data Computer Center here. If we do that, that comes equipped with about 20 employees and necessary space for a mini computer. That gymnasium area is large enough to handle that. That is in the developmental stage what I have just brought to you."

Commissioner Siggins: "Okay, what are the plans with the other parts of the Academy there?"

Deputy Chief DeAmicis: "We have plans to move some of the Support Services Bureau upstairs from the fourth floor to the fifth floor. Also in the working stage is the establishment of a decentralized testing unit for the Department that will need a number of classrooms and will have 16 additional employees so that whole complex, that whole Personnel and Training complex can be used by the Department."

Commissioner Murphy: "You mean that's not gymnasium space, that's space that is going to be left vacant because they are going to Fremont?"

Deputy Chief DeAmicis: "That's right."

Commissioner Murphy: "Let me ask you another question, how much of the equipment in the present gym will have to go out to Fremont, any of it?"

Deputy Chief DeAmicis: "Captain Shannon is here to speak to that issue."

Captain Shannon: "Basically, Commissioner, the lockers because we have no lockers at the new facility there, gym-type lockers. And the athletic equipment which includes mats, a Universal Weight Machine, tackle dummies used when practicing with batons are the major items that will be moved out to the new facilities."

Commissioner Siggins: "Sounds like you haven't been through that physical agility testing for a while. This stuff has to go out there, is that right Captain?"

Captain Shannon: "Yes, basically, if we don't have it we won't be able to do the training. We don't have enough money to maintain two facilities and if we don't have it we won't be able to do the training at Fremont. It does have a gymnasium."

Commissioner Siggins: "But the petition now is that they want to keep, they want to keep that area for a gym or do the petitioners recognize the fact that the material has to go out there for the school?"

Captain Shannon: "I read the petition, but I believe they want to maintain the equipment at this facility."

Commissioner Murphy: "Could they use the gym without the equipment that you have to have out at Fremont, I mean is it usable in that one could exercise without lockers?"

Captain Shannon: "The room will be there if it is not used for anything else. The shower facilities, at this point, there are no plans to tear them out. There will not be locker facilities there if we are taking them with us."

Paul Chignell: "As petitioners we would like to represent our position."

Commissioner Siggins: "Oh, of course, but we want to...is this going to be a Charter Amendment, yes, you were not listed as a....I don't think, I didn't see you down as a petitioner."

Paul Chignell: "Well, we have an additional petition. We have 410 signatures on it."

Captain Shannon: "One of the items that Mr. Chignell mentioned is that there are a lot of people that signed the petition. Our current use of personnel not being trained at the gym never gets much more than 30 people. The original petition we received had 82 names on it. Of those 82 names, 10 of them were people that were regular users of the gym. The gym out at Fremont School will be available the same as the gym is here. There will be parking available at Fremont School. If people want to use it it will be available to them."

Commissioner Murphy: "This memorandum indicates that about 40 plus members use it in a week."

Captain Shannon: "That's between 20 or 30 that we counted. There could be a few others that get in there."

Commissioner Murphy: "What about this place at Oak Street?"

Captain Shannon: "Mr. Chignell could talk better to that point, I can't."

Commissioner Siggins: "Okay, now we will be glad to hear from the petitioners."

Paul Chignell: "Thank you."

Commissioner Siggins: "Are you speaking for the petitioners?"

Paul Chignell: "I am the spokesperson for the petitioners and I just want to make a few brief comments and then turn it over to Lieutenant Foss who has some brief comments and would like to introduce a few speakers. It shouldn't take too long. The Police Officers' Association is in total support of the petition. We request that the Police gym remain open for the use of the officers of this Department. One of the reasons why we believe strongly that a Police Gymnasium should be maintained is because we are concerned, as many people are, about the facets of police work that involve heart disease, ulcers, stress, back injuries and obesity because we pay for attorneys to represent these officers who go for disabilities and we are concerned about the high disability rate. This building houses approximately 750 police officers who have the availability of the police gymnasium. Captain Shannon's figures are incorrect as the sign in sheet is now always signed by the officers who use the

gymnasium. It's much higher than 30 or 40 a week. As you know, police officers who entered this Department after March 6, 1970, must pass a physical exam. They use the gymnasium to prepare for it. The main point in keeping the police gymnasium at its central location is because of the large number of officers here. There are no shower facilities at Fremont School. It's not the same kind of a gymnasium which Lieutenant Foss will allude to. If there is a problem with the equipment I think we can work out some other means of funding for the equipment. We feel strongly that there should be a facility available. The prior Commission under Mayor Alioto in a permanent order that was put out to the entire Department encouraged officers to engage in physical activity and the discussion at that time was that they encouraged officers to use the police gymnasium and we also encouraged that and we hope that it will continue."

Commissioner Siggins: "Was that a subject of meet and confer or did you just go along with it?"

Paul Chignell: "I don't recall if there was a meet and confer, but we agree with the policy Mr. President. I would like to introduce Lieutenant Foss who has some comments to make and other officers will follow. Thank you."

Lieutenant Ken Foss: "Mr. President, I would like to present the remainder of the petitions. A total of approximately 409 signatures of sworn personnel plus 18 civilians."

Commissioner Siggins: "Right, you know I feel that I would speak for the sense of the Commission that we try to work out the mechanics of the thing more than...it's nice to have a gymnasium, but let's figure out how we can do it. If we have to move this one out to Fremont then we have to do it. That's what I would be more concerned with."

(Lieutenant Foss passes out data to Commissioners at this point.)

Commissioner Ciani: "As far as I am concerned, this data is very interesting."

Commissioner Siggins: "Yes, we would have to agree with this."

Paul Chignell: "We would be happy to work with you in working that out. We don't believe that you have to give up this gymnasium."

Commissioner Siggins: "Well, it's easy to say that, but we would have to get the Department to tell us that. I see the gym and I would not agree with these statistics. When I go in, there I see more people using it the times that I have been in there. But if it has to go out to Fremont I don't see where we are going to get the equipment for Fremont School."

Paul Chignell: "I don't think, Commissioner, that it has to go out to Fremont. Forty recruits only at Fremont whereas there are hundreds of police officers in this building."

Commissioner Siggins: "In this building, now see, now that's another thing. Convince us, if you will, that if you can, that this is not a pet project of people within this building as against people out in the Richmond Station or Park, you know, and that they come down here and use the gym on their off hours."

Lieutenant Foss: "Well, I went in and I talked to Al Johnson who is the Court Liaison Officer. They have approximately 61 officers according to Officer Johnson who come in from the outlying stations to testify. A good many of those officers have to standby for several hours until they testify in court. Well, a lot of them use the gymnasium. Now if you will look at the last page of the material I gave you it gives you a run-down of 762 officers according to Operations Center, are at 8 stations not located at the Hall. If we have 1,565 officers that leaves approximately 800 assigned here, give or take a few. Not only these officers, but the District Attorney's Office, some Probation Officers and many civilians use that gymnasium. So it's a well used facility. We have two Deputy District Attorney's here to testify to that tonight. Not only that, I have been up there a lot and I don't sign sheet. We can't work out during duty hours."

Commissioner Siggins: "They accused you of signing the petition twice, I think."

Lieutenant Foss: "Perhaps it was my brother, Douglas Foss, who signed it. Tonight what I wanted to do was introduce a variety of speakers from different areas of the Police Department, if I could, for a very short talk to voice their support."

Commissioner Siggins: "I don't think we need that Lieutenant and I would go along here that nobody would be against closing the gym if we don't have to er, pardon me, I mean nobody would be against keeping the gym if we could."

Commissioner Sanchez: "Mr. Chairman, I would like to ask a question through the Chair if I might? I just wanted to ask something of Captain Shannon. We are scheduled to utilize Fremont's gym, correct, which is very limited at this point. Basically, there are no lockers and there are no shower facilities period, okay? And, basically, no lockers. I was wondering if perhaps somebody in the Department could factor out what it would cost the Department to either buy lockers and showers and put in adequate ones at Fremont or if, as an example, we might maintain both and utilize those monies or minimum monies to have like a shuttle bus going from here to there for specific type of physical activities. Secondly, the gym is not only used Monday through Friday, I know personally that a number of clubs, Southpark, Red Shield, Columbia Park, Cannon Kip, Boys Club, Girls Clubs, here in the south of Mission area, utilize that thing extensively on Saturdays and other parts of the week and it's accessible to the kids in the neighborhood. If we are going to scuttle the whole thing and move it out to Fremont, we are talking about a loss of recreation space not only to the community, but also to the Department. So I would like some reaction on that."

Captain Shannon: "As far as the building, we have got an estimate. It's about a year old. It was \$85,000 to put in showers and locker facilities, and I would imagine you could add another \$10,000 to it now with the raise and the cost of living."

Commissioner Murphy: "You are talking about Fremont now?"

Captain Shannon: "That's at Fremont. We anticipate that we will continue to have the facility open for...that's the PAL Program you were talking about Commissioner. It's run by Officer Joe Mollo who is our main physical trainer and he was anticipating running the program out at Fremont School. Fremont School, by the way, is on a bus line. It's on the 51 line, would be just about as accessible as this facility for those children."

Commissioner Sanchez: "Either that or else we could expand it."

Captain Shannon: "We could. One of the problems, I don't know if you are familiar with the PAL Program, is to get the coaches. If we had enough coaches, I am sure the PAL Program would be happy to expand it. We looked into the concept of busing our recruits and one of the problems is time. We are going to have more than 40 recruits. We are going to have up to 120 recruits going to the school or going through recruit school at any given time. We are going to have

three classes, overlapping classes. The need for, especially say, for the Universal Weight Machine, as was brought out by the last speaker in speaking about the testing processes they used a different process in testing the women and testing the men and we know from past experience that some of those people will not have the upper body strength they need. You can't put them on a regular dumbbell because if they are not strong enough they could fall down and be injured, but you can put them on a Universal Weight Machine and if it gets a bit too heavy or if they get tired, the machine is designed so that it won't hurt them. That's one of the reasons that we need that machine out there. Part of the equipment or, in fact, a good portion of the equipment, does belong to the PAL. It was purchased for Officer Mollo's activities and it will be moved out. That's basically the mats that are on the floor, we use and the PAL uses."

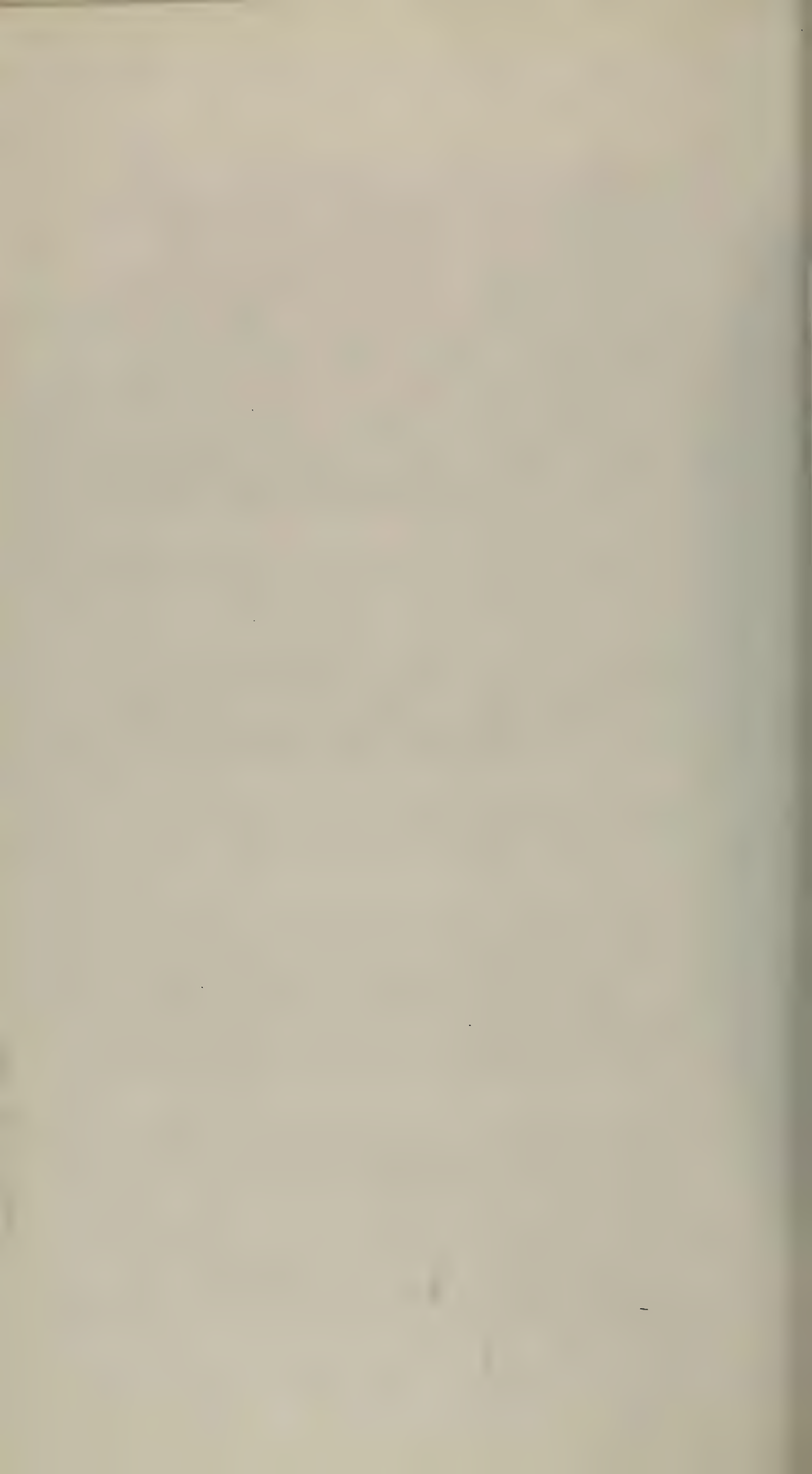
Commissioner Toler: "The \$85,000 Captain, will take care only of the showers and the lockers?"

Captain Shannon: "Showers, yes, that building is a cement and steel building. It does have plumbing facilities in it. I thought it would be less too. This was the Bureau of Architecture's estimate, not mine. They said \$85,000 to put in a...there would be two; a men and women's locker rooms and then dual showers that would be necessary."

Commissioner Toler: "What is the estimated cost for equipping the whole building, the gymnasium with all of the facilities we have here?"

Captain Shannon: "Well, all along we thought we were going to bring our equipment out. There is a stage in the gymnasium. There is a decision at this point that has been made to maintain it, but if it comes out, the School Department said they would refinish the floor and put some more basketball equipment in it. The gymnasium itself, the facility is a standard school-type gymnasium facility. They never put showers in because the building was built as a grammar school."

Commissioner Murphy: "Mr. President, I will move that we transfer to Fremont School all of the necessary equipment that they need over there. Just what they need, nothing more and also that it be the expression of the Commission that we keep the gymnasium at Bryant Street open for the use of the officers here and others who have used it traditionally, as long as we possibly can in the hope that it will be useful. And in order for the gym to be useful, it is our hope that donations from the POA and others will be made."



Commissioner Ciani: "Commissioner, could I ask that we amend that so that it is subject to having adequate supervision to protect the Department from liability?"

Commissioner Murphy: "I will add that, certainly."

Lieutenant Foss: "Commissioner, without lockers they are not going to use the gym. It's just useless then without the lockers."

Commissioner Murphy: "Well, I don't know how you are going to create 80 lockers when you only have 40 anyway. I still think you have got to send those out to Fremont."

Commissioner Toler: "Can you get by with less than 80 lockers at Fremont?"

Captain Shannon: "Well, at some point down the line, about January or February, we are going to need all 80. At the beginning when we have 40 recruits we are going to need less. As Deputy Chief DeAmicis mentioned the movement of the lockers is the most expensive cost of the moving because they come apart and are something like an erector set. They come in sections of three and they have to be moved out. It's a time consuming thing and it would probably cost you another couple of thousand dollars to move an additional 40 lockers."

Commissioner Sanchez: "Or through the Chair if I might, is there some regulations that states these lockers must be new lockers or that they basically belong to the Academy or what?"

Captain Shannon: "We are not putting in new lockers, we are putting in the lockers we have here."

Commissioner Sanchez: "Okay, basically the point I am making is the fact that the School District, and I believe that somebody can contact the new director of supplies and equipment, has surplus lockers, both at Poly, John O'Connell and Samuel Gompers. And, also St. James School has been auctioning off and having garage sales of surplus school lockers because the school is no longer in operation. It could very well be that within 24 hours you could have not only 40 but 120 lockers, surplus lockers, that could be obtained or donated to the Department or whatever. I would hope that maybe we could use some creativity about this. Rather than moving this segment over here when we have all of this surplus stuff going on over in the School District."

Lieutenant Foss: "That would save our gym."

Captain Shannon: "Commissioner, we have been doing quite a bit of creativity just to equip this place. I have no objection to speaking with the Board of Education. We have been doing it for desks and other items, but the decision is yours on what we do."

Commissioner Sanchez: "I would be glad to meet with the Chairman of the Board tomorrow pertaining to it. As I said, I know for a fact there are many community groups basically have been buying some of this surplus equipment that could very well fit right into Fremont."

Commissioner Murphy: "Well, I think you are perfectly right Commissioner Sanchez and I would hope they use it and we could get enough lockers for everybody. I don't think that in a sense affects the principle that's been enunciated in this motion that has just been made and that is that Fremont be equipped as best it can and proceed with that and that this gym be preserved and that if, for example, the POA or anybody else can go and get those lockers that's fine. Now, if you can do it before they move out there, of course, that would be absolutely perfect because then you wouldn't have the cost of moving the lockers. Just simply have them available."

Captain Shannon: "Commissioner, if we get them from the School Board we would still have to pay for the moving."

Deputy Chief DeAmicis: "Commissioner, just as a sense of direction to the Administration, is it your direction if this motion is passed, that if the Department can locate and acquire lockers, that those lockers be moved to Fremont School and then the lockers remain here and that's by the September 4th final deadline. If lockers cannot be located by that time then the lockers that are here be taken to Fremont School? Thank you."

Commissioner Murphy: "Yes."

Commissioner Ciani: "It has been moved and seconded."

Commissioner Siggins: "It has been moved and seconded? Okay, question?"

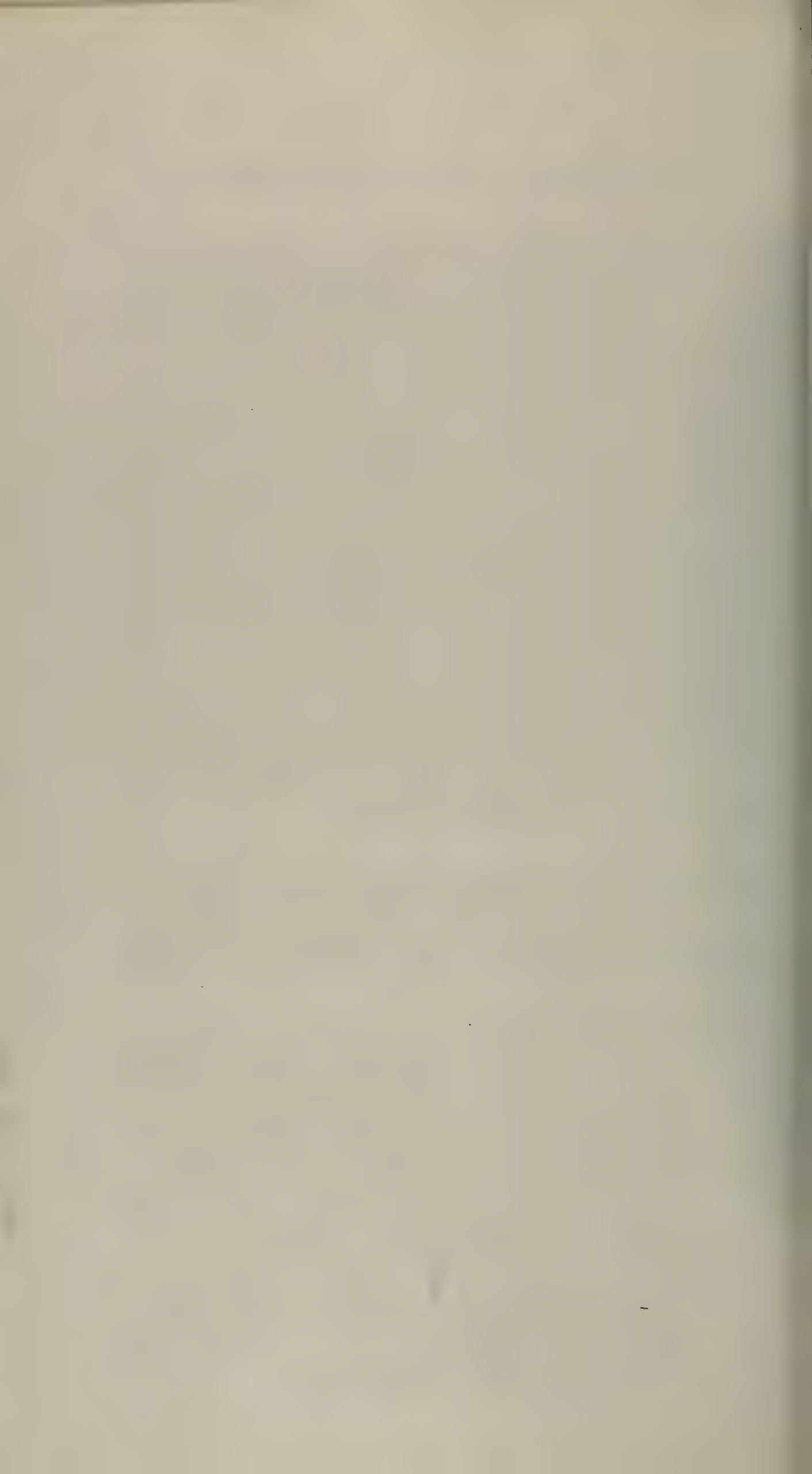
Lieutenant Foss: "That doesn't really give us much time to really check the lockers out that September 4th deadline."

Paul Chignell: "Can we ask why a September 4th deadline?"

Captain Shannon: "Yes, I can probably answer that best. We, or the City, went out to bid on the move. We requested to move into Fremont School as quickly as possible. The fact that the school has been empty has caused a certain amount of vandalism. We originally scheduled the move for August 20th. At that time the petition came up and the move was delayed. We asked the mover who received the bid how long he could delay it. The week of September 4th was the latest he could move and then after that he would be going into other contracts he had for moving other people. At that point, being a bid had been made and signed, that's the latest we could move it, and we want to get into the school because the sooner we get into the school the sooner we can complete the repairs that has to be done in the school. The school would have a presence of occupancy and we know from speaking to the School Board that that reduces vandalism quite a bit and we know that school before when it was occupied it didn't have a major vandalism problem. I am sure every school had some, but it didn't have a major problem. The school right next door to it, Pelton, had no problem, but we feel once we are in there and we are occupying it and they see regular occupants....we are also planning...or hope to start on our next Muni Transit Class on September 10th. We don't know exactly because of when the list is going to come out, but we anticipate starting the first Recruit Class on October 15th. We don't have an awful lot of time."

Commissioner Murphy: "Well then the purchase of school surplus lockers could still be....if you had to go from here, the lockers from here to there, purchasing could still be made, it seems to me if the effort is made here. It is going to cost something in any event. Could they possibly get those lockers free?"

Commissioner Sanchez: "It's possible to get them free or for a dollar or whatever a locker. That's not the problem, the problem is establishing communications. Also, I would like to throw this out. The Chief mentioned the fact that school starts September 11th, so Pelton will be operational September 11th and in the first week they will take the student counts and teachers and etc., and at that point too we might have further information about utilization of the gym either part time, full time or no time, whatever. So if perhaps it were possible I would hope we might consider, you know, September the 11th or a few days after that, to find out where we are and, if perhaps we are talking about utilization of the gym and/or bringing lockers in, when, in essence, we may not have to if we are going to use it. It doesn't make that much sense to me personally to be making a decision when, in essence, we don't know what our navigation plot is until the week of September 11th."



Lieutenant Foss: "With the September 4th deadline we have two business days, Monday is a holiday. That's very little time."

Deputy Chief DeAmicis: "We ~~are~~ aware of that deadline. You know the obligation is on the Department here to do something, meaning us, me. So we will be working those two days also. Very frankly, if we cannot locate lockers in two days then there aren't any lockers. So it's my feeling here that if lockers are available we will be able to locate them in two days."

Commissioner Siggins: "Or get a commitment for them."

Deputy Chief DeAmicis: "Yes."

Commissioner Murphy: "We want Fremont taken care of and we certainly want the gym open as long as it's possible to have it open and available and put it with the officers of the POA, etc."

Commissioner Siggins: "Alright."

Officer Michael McElligott: "I am Officer McElligott from the Task Force and I took a tour of the place a couple of days ago and if you are going to have that thing operational there is only two toilets out there that you can use. Everything else is real small and tiny. Now, if you are going to have gyms out there, you know, I am speaking out of turn, the Captain....."

Commissioner Siggins: "No, your turn, that's alright."

Officer McElligott: "Okay, but if you give us a few more days there is enough guys interested in it, I know September 4th you are going to have movers and stuff like that. Officer Hurley and some of the other guys got a bunch of lockers that are out at the point (Hunters Point) and if you give us a couple of days we can find some lockers for you. And, if you are really lucky we might even find some toilets for you because you don't have any out there. And, I don't know what you are going to do with an entire Academy when only two johns are working."

Captain Shannon: "Pardon me, there's a few more. Because of the fact that they are cleaning up there are a few more. In the lower level, which was the kindergarten and through second grade, have the smaller bathroom facilities. But on the upper levels they have regular size bathroom facilities, and they have them because they had full size teachers and others and these are, we feel, adequate for our needs. We hope at some future date naturally to increase it, but we have, we feel adequate bathroom facilities."

Commissioner Siggins: "This will be the 133rd Recruit Class? They will be saying remember when. Shall we vote on the motion itself?"

Commissioner Ciani: "Question."

Commissioner Siggins: "Call for the question? All in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Captain Shannon: "The first thing in the morning I will contact the School Department because we haven't any contact with them and find out, in fact, if there are several lockers available and if there are and where they are, and if we can have them and I will tell the Deputy Chief as soon as I find out."

Commissioner Siggins: "Let me suggest that Dr. Sanchez make the first call."

Commissioner Sanchez: "Yes, I will get on the horn the first thing in the morning because I know where there may be some available."

Captain Shannon: "May we move the other equipment?"

Commissioner Siggins: "Yes, yes, that's part of the motion. Take what you need."

DISCUSSION OF PROPOSED SAN FRANCISCO CHARTER CHANGES TO BE SUBMITTED TO THE SAN FRANCISCO CHARTER COMMISSION. (CONTINUED FROM THE MEETING OF AUGUST 1, 1979)
- CONTINUED TO SEPTEMBER 5, 1979.

Commissioner Siggins: "Officer Chignell, in the interest of time I discussed this briefly with the other Commissioners and we want it, we have an awful interest in it. It takes us, to go through what we have here, the material, about 15 to 20 minutes. Could you put yours in writing, your recommendations, so that we would have it there memorialized? We want to meet with you, but I think tonight something has to give. You suggested that it would take an hour."

Officer Paul Chignell: "About an hour Commissioner."

Commissioner Siggins: "Can you be prepared next week?"

Officer Paul Chignell: "Yes sir."

Commissioner Siggins: "Let's make it, in fairness to Officer Chignell, earlier on the calendar so we can get to it up front there."

Officer Paul Chignell: "I will provide to you our position on the 20 odd items and then I will orally discuss our position with you. Will that be alright?"

Commissioner Siggins: "Yes."

RESOLUTION NO. 543-79

REQUESTING APPROVAL OF THE BOARD OF SUPERVISORS TO ACCEPT AS A GIFT THE SALARIES AND FRINGE BENEFITS OF SIX ENVIRONMENT-NOISE CONTROL ASSISTANTS FROM THE SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM.

RESOLVED, that the Police Commission requests the approval of the Board of Supervisors to accept as a gift, the salaries and fringe benefits for six Environmental-Noise Control Assistants from the Senior Community Service Employment Program. Said assistants, whose services are valued at \$16,314* for the six-month period in which they will work (25 hours per week) will be assigned to the department's Noise Abatement Unit.

*Six 1424 Clerk-Typist at \$709/Mo. x 50%	
Time x 6 months	= \$12,762
Fringe (20%)	2,552
	<u>\$15,314</u>
Insurance	1,000
	<u>\$16,314</u>

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 539-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR CONTINUATION OF SENIOR CITIZEN ESCORT SERVICE HUD FUNDED AREAS FOR PERIOD JANUARY 31, 1980 THROUGH JANUARY 31, 1981.

RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation to provide funds for continuing service of HUD funded areas and program administration for the Senior Citizen Escort Services in the amount of \$472,029.00.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 542-79

AMENDING SUPPLEMENTAL APPROPRIATION RESOLUTION NO. 496-79 TO ADD AN ADDITIONAL 12 (TWELVE) MUNI TRANSIT OFFICERS TO THE ORIGINAL REQUEST OF 50 (FIFTY) MUNI TRANSIT OFFICERS.

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR SIXTY TWO (62) 8218 MUNICIPAL TRANSIT POLICE OFFICER POSITIONS.

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$639,547 to fund sixty two (62) 8218 Muni Transit Police Officer positions for the period beginning October 1, 1979 and ending June 30, 1980.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER BRUCE BUSHNER - COMMUNICATIONS DIVISION

The hearing of Police Officer Bruce Bushner, Communications Divison, was called, it having been continued from Wednesday, August 29, 1979, to this date.

Police Officer Bruce Bushner appeared in person and was represented by Sergeant Michael Hebel, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

Commissioner Siggins, at this time stated that because of the extensive time utilized in disposing previous agenda items, he requested the concurrence of Sergeant Michael Hebel, Police Officer Bruce Bushner's attorney, to continue Officer Bushner's hearing to October 3, 1979.

After obtaining Sergeant Hebel and Officer Bushner's concurrence, the hearing was continued to Wednesday, October 3, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

HEARING OF POLICE OFFICER MICHAEL KELLY, VICE
CRIMES DIVISION

The hearing of Police Officer Michael Kelly, Vice Crimes Division, was called, it having been set for this date. Police Officer Michael Kelly was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Conduct Unbecoming an Officer. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Use of Excessive Force on Another Without Lawful Jurisdiction. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Use of Excessive Force on Another Without Lawful Jurisdiction. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Failure to Answer Truthfully Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Michael Kelly appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

Mr. Bley, on behalf of Officer Kelly, requested that the hearing be closed.

Mr. Wilson, in response, presented argument as to why the hearing should remain open.

The Commissioners, after listening to arguments from Prosecuting and Defense Attorneys, voted on the motion to close the hearing. The motion was moved and seconded and voting went as follows:

AYES: Commissioners Sanchez, Toler, Siggins

NAYS: Commissioners Ciani, Murphy

The Commission then adjourned at 2140 hours, and the matter was continued to Monday, September 10, 1979, at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF POLICE OFFICER DANIEL MARR, BUREAU OF COMMUNICATIONS

The hearing of Police Officer Daniel Marr, Bureau of Communications, was called, it having been set for this date. Police Officer Daniel Marr was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Conduct Unbecoming an Officer and Reflecting Discredit on the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Conduct Unbecoming an Officer and Reflecting Discredit on the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Conduct Unbecoming an Officer and Reflecting Discredit on the Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Using Force and Violence on Another Person Without Justification. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Using Force and Violence on Another Person Without Justification. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 6

Failure to Truthfully Answer Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 7

Failure to Truthfully Answer Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 8

Failure to Truthfully Answer Ques-

tions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Daniel Marr, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

Mr. Bley, on behalf of Officer Marr, requested that the hearing be closed.

Mr. Wilson, in response, presented argument as to why the hearing should remain open.

The Commission, after listening to arguments from Prosecuting and Defense Attorneys, voted on the motion to close the hearing. The motion was moved and seconded and voting went as follows:

AYES: Commissioners Sanchez, Toler, Siggins

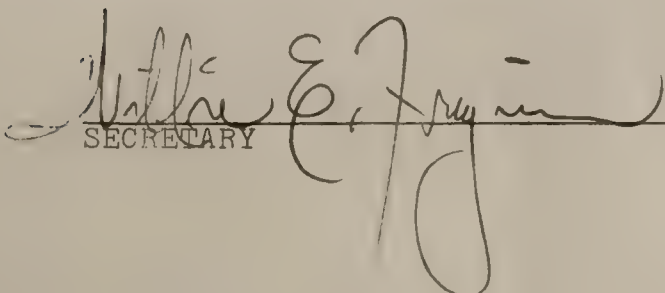
NAYS: Commissioners Ciani, Murphy

The Commission then adjourned at 2140 hours, and the matter was continued to Monday, September 10, 1979, at 1730 hours, in Room 551, Hall of Justice.

(The entire proceeding was taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission then adjourned its meeting at 2140 hours.



SECRETARY

5 SEPTEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 5, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

DOCUMENTS DEPT.

Commissioner Siggins presiding.

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1195 FOLSOM STREET - INTERNATIONAL HOUSEHOLD EXPORT INC.

- a) At 1195 Folsom Street, install a 29' yellow zone, extending from 34' to 63' west of east property line between drive-ways.

599 MASON STREET - MARINE'S MEMORIAL - HELD OVER

APPROXIMATELY 110 UTAH STREET - AVERY PAPER &
SUPPLIES - DENIED

- a) At approximately 110 Utah Street, install a 45' red zone, extending from 43' to 88' south of north building line. DENIED.

APPROXIMATELY 289-12th STREET - HAMBURGER MARY'S-DENIED

- a) At approximately 289-12th Street, install a 22' yellow zone, extending from north property line 22' south of same. DENIED.

801 PACIFIC AVENUE - EL DORADO MEAT CO.

- a) At 801 Pacific Avenue, change existing yellow zone to STLZ 36' yellow from 9' to 45' west of east property line. Zone to be STLZ from 7 A.M. to 1 P.M.

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1140 FOLSOM STREET - BAY COMMERCIAL LIGHTING
SUPPLY COMPANY

- a) At 1140 Folsom Street, install a 44' green zone, extending from east property line 44' east of same.

1122 FOLSOM STREET - THORSEN WAREHOUSE CO.

- a) At 1122 Folsom Street, install a 27' green zone, extending from 6' to 33' west of Langston.

1011 GARFIELD - LUTHERAN SCHOOL

- a) At 1011 Garfield, install a 44' white zone, extending from 15' to 59' east of Junipero Serra.

206-8th AVENUE - 8th & CLEMENT PRODUCE MARKET-
DENIED

- a) At 206-8th Avenue, install an extended 22' yellow zone from 24' to 46' south of Geary Boulevard. DENIED.

41 VAN NESS AVENUE - J. GODEAU INC. FURNERALS -
REVOKED

- a) At 41 Van Ness Avenue, revoke existing 72' white zone, extending 72' north of Hickory Street.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 72 feet of white zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RETIREMENTS

Communications were received from the Retirement Board officially notifying the Police Commission of the retirement of the following-named members of the Police Department:

- a) Captain Ernest J. Raabe, Co. K -E & I,
for service, effective August 1, 1979.
- b) Lieutenant Sol P. Weiner, Communications,
for service, effective August 18, 1979.
- c) Lieutenant Frank W. Watts, Southern Police
Station, for service, effective July 18,
1979.
- d) Lieutenant Ralph E. Schaumleffel, Taraval
Police Station, for service, effective
July 18, 1979.
- e) Police Officer Francis L. Woomer, Park
Police Station, for service effective
July 18, 1979.

The communications were ordered filed.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 544-79

DONALD ENGLISH AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Donald English and his attorney in the sum of \$2,000.00 in Superior Court Action No. 728-713 entitled "Donald English vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 13 and October 14, 1976

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 545-79

SCOTT BROPHY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Scott Brophy in the sum of \$123.43 in Small Claims Court Action No. 357-038 entitled "Scott Brophy vs. City and County of San Francisco Tow Car Association, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 5, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 546-79

MICHAEL FLANAGIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Michael Flanagan against the City and County of San Francisco in the sum of \$26.50 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 31, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 547-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved :

Lieutenant Charles R. Beene) \$160.50 (At the Unusual
Crime Specific Task Force) (Incident Command
(Seminar at Santa
(Rosa, California,
(from August 22,
(1979 to August 24,
(1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 548-79

TRAVELING EXPENSE VOUCHERS-APPROVED

RESOLVED, that the Traveling Expense
Vouchers submitted by the following-named members
of the Police Department for expenses incurred in
attending the below-indicated program, be, and
the same are hereby approved:

Sergeant David Winn)	\$100.50	(At the Bomb Squad
Crime Specific Task Force)	each	(Equipment and Tech-	
	)	(niques Seminar at
Police Officer Jeremiah	)	(Santa Clara, Cal-
Morgan	)	(ifornia, from August
Crime Specific Task Force)		(13, 1979 to August	
		(15, 1979, inclusive.	

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

Commissioner Murphy: "I don't know whether you are
prepared to discuss this, but I understand that there
is some question now about only certifying 150 persons
off the latest Civil Service List rather than 6 or 7
hundred that we may need in the next year."

Chief Gain: "I can just relate what knowledge I
have with that at this time. It seems that some
who want only 150 officers on the eligibility list
feel that way because of the, I guess, the adverse
impact factor. They feel that if there were a list
of 150 then we could immediately go into recruiting,
re-testing and by the time those 150 are hired have

a new eligibility list established and start hiring off of that list. My view is that we should have a list of at least 5 or 6 hundred so that with that number we would be able to, in fact, hire 320 during the next year commencing in October, and then during that year's period of time go into an extensive recruiting, testing and hiring process. So I think that's basically the issue and, I assume, this might be resolved next Monday, September 11th, either through the court, or through the Civil Service Commission. I learned today the Civil Service Commission is having a hearing on Monday, I think it is the 11th, at 2:30 in regard to what scoring factor should be given the Audio Visual and Oral Interview process. Our real concern has to be, of course, that one, with only 150 officers on the list, with that number we might be able to hire, only, perhaps 120, given the dropouts for medicals, or whatever it might be. That would mean we would need a new list by about March of next year. I am convinced that we could not, by March of next year, go through a recruiting testing process and come up with a new list, and that's why I favor a list of 600. But there is a lot of other factors having to do with adverse impact and whatever it may be."

Commissioner Murphy: "The 2:30 meeting, is that on Monday and open to the public?"

Chief Gain: "It's a public meeting of the Civil Service Commission, I think it's in the library of the building."

Commissioner Ciani: "I was at the meeting yesterday, and I think part of the problem that hasn't been mentioned is that the testing has been such that it is suggested now that 100% of the weighting be done on the basis of the oral exam, and the oral exam really was not very difficult, and from listening to some tapes of it, it didn't seem that you could possibly rank candidates on their ability to be police officers based upon that alone. And even if you take 50% of the Audio Visual and 50% of the Oral scores to come up with your ranking, they have so watered down the Audio Visual by deleting 35% of the questions, which happens to be perhaps the more difficult questions, lowering the passing score, etc., so that that too isn't going to be very effective in really ranking people based on their qualifications. So, the problem as I see it, for the Department might be, no matter who is on this list, it's almost going to be like a lottery because I don't think that the testing has really succeeded in testing that pool of people in a way that would rank them in any logical way. And to have a longer list might be, well you don't know who is going to be on the list, but I think that it is clear that some of the burden on the Department is going to be increased because we won't know much about the qualifications of the people who are on the list and the likelihood is that we will have more people not make it through the academy. So it puts this burden of screening people out in the academy

process on the Department and I think that's, do you agree, that that seems to be shaping up from what the Civil Service Commission is doing."

Chief Gain: "Well, I think by the very nature of the whole testing process that it was already concluded that because of that process the burden was going to fall on the police department anyway. The actual selecting out process would occur during the Recruit School and Field Officer Training Program. The problem is that if they go strictly on the oral examination, I think that is a lottery, because we don't know who we are going to get. Where it really, in regard to the Audio Visuals, they would be listed. So that would probably be worse. If it went by combined score of Audio Visual and Oral then I think, predictably, we would be getting the most top ranked person but then you get adverse impact. That's why they don't want to go Audio Visual because you automatically get adverse impact."

Commissioner Ciani: "They mention at the meeting that it is a variance of about 2% percentage points. It's a very slight variance if you use a 50/50 as compared to a hundred percent oral. Do you remember what those statistics were?"

Chief Gain: "I think that was approximately right."

Commissioner Ciani: "It was not a material difference in the actual composition of the list that you would come out with. There were fewer women by some 2% and I think maybe 1% difference in minorities, if I recall."

Chief Gain: "Something like that, but the problem there is that not even 49%, which I guess is the greatest percentage, was acceptable to some because the Consent Decree called for 50% minority group persons and 20% women. So, some who support the 150 are saying that's the only thing that is acceptable, because by the 150 list you do get the greatest percentage of minority group persons to conform with Consent Decree goals."

Commissioner Murphy: "How do they figure that?"

Chief Gain: "Well by taking 150, I guess you would have a list, and the way they are going to do it is that you would have the greatest number of minority group persons among that 150, and women, and if you go to 200, 300, 500, 600 then the percentage becomes lower at 49%, or less than that."

Commissioner Murphy: "I don't understand the mathematics of it. How are you going to get this 150?"

Commissioner Ciani: "Well that's the debate that's going on, whether to do it based on 50% weighting of the Oral and 50% weighting of the Audio Visual or 100% Oral."

Commissioner Murphy: "Okay, it seems to me that you would have an equal chance, I honestly can't see the difference. If you have 600 candidates it would seem to me you would have as good a chance of having 50% minority and 20% women as you would, in fact, a better chance, then if you get only 150, unless you select the 150 by name or something."

Commissioner Ciani: "But the data is there. And they can figure out if they score based on the Oral they know who is going to show up in the first 150, and in the first 600, and if they do it the other way they know who is going to show up there based on race and, I guess, they have done that. I know they have done that as to the first 150, or whatever, because they were talking about interviewing."

Further discussion was held on this matter after which Commissioner Murphy asked Chief Gain about the transfer list which all Commissioners had received in the regular mail. She noted the separations and the fact that some 6 persons had resigned. Her question was, "do we have exit interviews at all?"

Chief Gain stated that yes, the Department did conduct exit interviews with each one of those parties and knew the reason why each had chosen to leave.

MR. EDWARD HEAVY

At this point Mr. Edward Heavy, President of the Veterans Political Association, requested to speak to the Commission regarding the Bar Association's proposed amendment to the California Penal Code, Section 148. He said this proposal is to limit the authority of the police to arrest and prosecute someone who interferes with his arrest, to those whose physical conduct would mean you must physically touch, hold, kick, punch or otherwise have contact with a police officer. He says the danger of the BAR'S proposal is the addition of this section of three words, "BY PHYSICAL CONDUCT."

He said he was asking the Police Commission to take a stance rejecting the proposed amendment by the San Francisco Bar Association.

Mr. Tom Smegal, President of the Bar Association, spoke and he stated he thought that it would be inappropriate at this time for the Police Commission to become involved in it. He stated that if the Bar Association is successful in this particular venture then the Police Commission would have a chance to become involved or take a position on the issue.

Commissioner Siggins then thanked both parties for their presentation.

Mr. Bob Barry, President of the Police Officers' Association, requested to speak and stated that he was concerned because of the actions the Police Commission took on it's previous week's agenda regarding the Police Gymnasium. He said there was a lot of testimony presented to the Commission and that the Commission rendered a decision at that time. He said the decision, as he remembered it, was that the lockers now in the Gym would remain if other lockers could be obtained from the Unified School District. He said this was done the following day by Commissioner Sanchez and the Police Academy Staff was informed that the lockers were available. He said this afternoon he was advised that not only has the majority of the equipment been removed from the gym but that lockers had also been removed and the gym closed. He said this action, he felt, was against what the Commission ordered.

Commissioner Siggins stated that the Commission had intended for the gym to stay open, if at all possible. He said that the equipment had to be moved within a certain period of time because the academy's new gym had to be equipped. But, in essence, the spirit of their motion was to keep this gym in the Hall of Justice open, if at all feasible.

Chief Gain then stated that he would look into it tomorrow and see what the status is and, if necessary, it can be brought back before the Commission next week, maybe he said, it can be resolved tomorrow.

DISCUSSION OF PROPOSED SAN FRANCISCO CHARTER CHANGES TO BE SUBMITTED TO THE SAN FRANCISCO CHARTER COMMISSION. (CONTINUED FROM THE MEETING OF AUGUST 29, 1979)

Police Officer Paul Chignell, Vice President of

the Police Officers' Association, submitted an outline for discussion before the Police Commission on those Charter Amendments which the SFPOA would or would not support. After discussing those items, Officers Chignell and Barry asked the Commission if they wanted to discuss the proposed amendment on Binding Arbitration.

As the Commissioners had not had the opportunity to fully digest the proposed amendment, Commissioner Siggins stated that if the POA representatives wanted to get into this Charter Amendment which is to be submitted before the voters in November, then they could return next week and discuss it at that time.

RESOLUTION NO. 549-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION FOR CONTINUATION OF SERVICE FOR THE SENIOR CITIZEN ESCORT SERVICE PARKING TAX BOUNDARIES.

RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation in the amount of \$294,542.00 for the Senior Citizen Escort Service for the period January 31, 1980 through January 31, 1981.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$99,470.00 FOR FUNDING OF ONE ADDITIONAL OFFICE FOR THE SENIOR CITIZEN ESCORT SERVICE'S OMT NEIGHBORHOOD FOR PERIOD JANUARY 31, 1980 THRU JANUARY 31, 1981 - DELETED FROM CALENDAR.

HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER DONALD JONES.

The hearing relative to the termination of Recruit Officer Donald Jones, was called, it having been set for this date.

Mr. Jones did not appear, and was not represented by counsel. The Commission then requested Mr. Lawrence Wilson of the Legal Office to make concerted attempts to get in touch with Mr. Jones and have him appear on Wednesday, September 12, 1979.

The Commission then continued the hearing relative to the termination of Recruit Officer Donald Jones to Wednesday, September 12, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF POLICE OFFICER TEDDY QUERUBIN, PARK
POLICE STATION

The hearing of Police Officer Teddy Querubin, Park Police Station, was called, it having been set for this date. Police Officer Teddy Querubin was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failure to Maintain Weight Standards.
(Violation of Section 2.36 of the
Rules and Procedures of the San
Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police, San Francisco Police Department.

Police Officer Teddy Querubin appeared in person and was represented by Police Officer Paul Chignell, Vice-President, San Francisco Police Officers' Association.

Mr. Lawrence Wilson, Attorney at Law, appeared as Prosecutor for the Police Department.

The reading of the Charges was waived.

It was stipulated by Mr. Lawrence Wilson and Police Officer Paul Chignell, that Police Officer Teddy Querubin would enter a plea of "guilty" to paragraph 3 in Specification No. 1.

Opening statements were made by Mr. Lawrence Wilson and Mr. Paul Chignell.

The following-named witness appeared for the Prosecution, sworn and testified:

Police Officer Joseph Mollo
Police Academy

The following-named witness appeared
for the Defense, sworn and testified:

Police Officer Teddy Querubin
Park Police Station

The Commission took the matter under
submission after which the following resolution
was adopted:

RESOLUTION NO. 550-79

DECISION - HEARING OF POLICE OFFICER TEDDY QUERUBIN,
PARK POLICE STATION

WHEREAS, on July 18, 1979, Charles R. Gain,
Chief of Police of the San Francisco Police Depart-
ment, made and served charges against Police Officer
Teddy Querubin, Park Police Station, as follows:

SPECIFICATION NO. 1

- a) Teddy Querubin was admitted to the
Police Academy on June 26, 1978,
and was at all times herein mentioned,
and still is, a police officer em-
ployed by the City and County of San
Francisco;
- b) Rule 2.36 of the Rules and Procedures
of the San Francisco Police Department
sets the weight standards for sworn
members who entered the department
after March 16, 1970; the maximum
weight for the accused is 210 pounds,
plus a ten percent allowance. There-
fore, the maximum possible the accused
may weigh is 231 pounds;
- c) Early in his Academy training the ac-
cused was found to have a weight pro-
blem; this weight problem continued,
despite counseling on several occasions,
as can be seen from his weight on various
dates:

September 21, 1978	-	232 pounds
September 29, 1978	-	233 pounds

October 2, 1978 - 229 pounds
April 2, 1979 - 238 pounds
April 5, 1979 - 246 pounds

- d) Two meetings, on October 25, 1978, and May 8, 1979, were held with the Chief of Police to discuss the possible termination of the accused; these hearings placed him on notice of the seriousness with which the department viewed this matter;
- e) On two occasions, in November, 1978, the accused was found by a physician to have elevated blood pressure and on the second occasion was diagnosed as having "a symptomatic mild hypertension, possibly transitory;"
- f) Dr. Norman Steiner, the San Francisco Police Department Police Surgeon, examined the accused on April 5, 1979, and found that he weighed 246 pounds, and 'based on his excessive weight and obesity, and inability to control this,' recommended that he be terminated;
- g) Officer Querubin was weighed on May 8, 1979, and found to weigh 233 pounds; pursuant to the requirement of Rule 2.36 he was reweighed three weeks later and found to weigh 236 pounds;
- h) This conduct, failure to maintain weight standards, is in violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department which states in pertinent part:

"Shall maintain the following weight and physical fitness standards:

.1 All sworn members entering the department on or after March 16, 1970, shall not exceed the below-indicated maximum weight standards by more than 10% and shall meet the physical fitness standards while they are members of this department.

In regard to the weight standards, each member shall be required to be examined every six (6) months and should member fail to meet the weight required for height, member shall be given three (3) weeks to comply with said standard or

face disciplinary hearing before the Police Commission.

Any waiver of the below standards must be approved by the Police Surgeon."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 5, 1979, and that on Wednesday, September 5, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that said charges made and filed against Police Officer Teddy Querubin, Park Police Station, as contained in Specification No. 1, violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department are sustained by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Teddy Querubin, Park Police Station, has violated Specification No.1, Section 2.36 of the Rules and Procedures of the San Francisco Police Department, and that for said violation Police Officer Teddy Querubin be terminated; but that the imposition of the sentence of termination be stayed for three (3) months from September 5, 1979 to December 5, 1979, subject to the following terms and conditions:

1. Police Officer Teddy Querubin shall report weekly on his own time to the Police Department's Physical Fitness Officer for a weight check commencing Friday, September 14, 1979, and each Friday thereafter through November 30, 1979.
2. Officer Querubin shall submit to the Physical Fitness Officer within two weeks an acceptable plan from a physician, or some other appropriate person of his own choosing, who has prescribed for him a rigorous regimen that will result in his achieving the required amount of weight reduction to 221 pounds. If this plan is not submitted within two weeks, he will be brought before the Commission at the next regular meeting and terminated.

3. He shall report to the Police Commission on Wednesday, December 5, 1979, weighing 221 pounds or less.
4. If he does not make satisfactory progress toward the goal or if he misses, without adequate justification, his appointments with the Police Department's Physical Fitness Officer, he shall be required to return on or before December 5, 1979, to the Police Commission and be terminated from the San Francisco Police Department.

and be it further

RESOLVED, that it is the order of the Police Commission that if all the terms and conditions imposed upon Police Officer Teddy Querubin herein are complied with, on December 5, 1979, the Police Commission order of termination, will be, and the same, hereby dismissed.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

ABSENT: Commissioner Ciani

RESOLUTION NO. 551-79

SETTING OF DATE FOR HEARING OF POLICE OFFICER EDDY L. CASTIGLIONI, PERSONNEL AND TRAINING

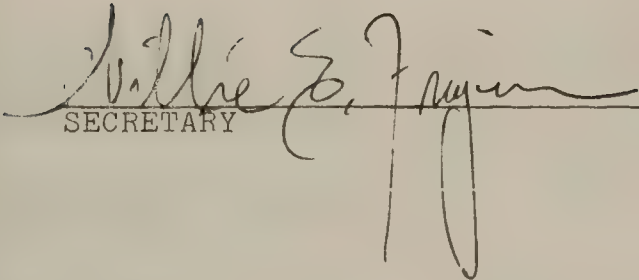
WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Eddy L. Castiglioni, Personnel and Training, was called; and

WHEREAS, Mr. Michael Hebel, Attorney at Law, who is representing Police Officer Eddy L. Castiglioni, and Mr. Lawrence Wilson, representing the Police Department, concurred that the date for Officer Castiglioni's hearing be set for October 3, 1979; therefore be it

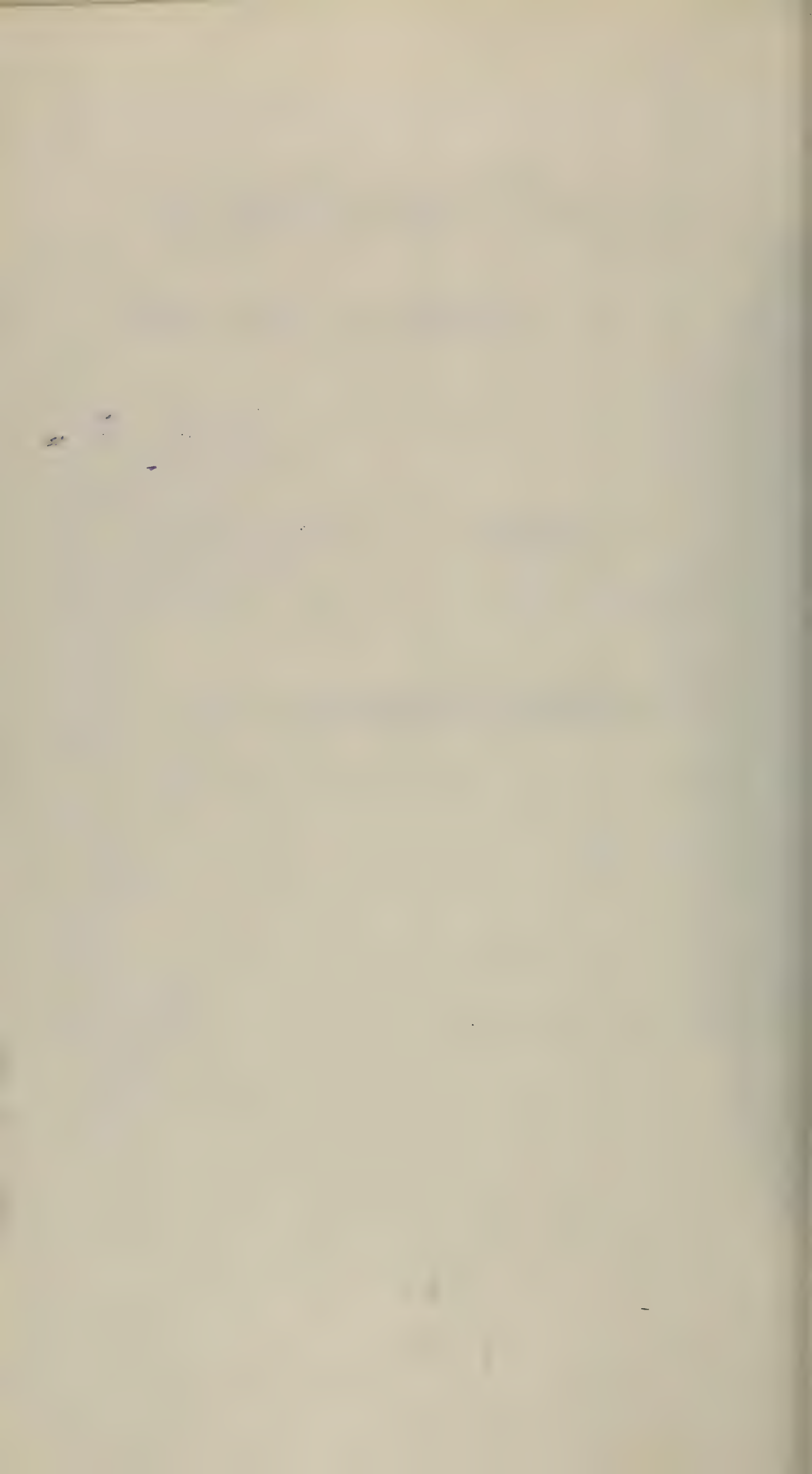
RESOLVED, that the date for the hearing of disciplinary charges filed against Police Officer Eddy L. Castiglioni, is Wednesday, October 3, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission then adjourned its meeting at 2020 hours.



SECRETARY



10 SEPTEMBER 1979

EXECUTIVE SESSION

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, on Wednesday, September 10, 1979 at 1730 hours in Executive Session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

DOCUMENTS DEPT.

Commissioner Siggins presiding.

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Commissioner Siggins: "At the request of Commissioner Murphy the Commission will hear Ms. Donna Hitchens. The Commission at the last session voted to have this hearing, the hearing of Michael Kelly and Daniel Marr in Executive Session. We have not started the hearing and is that what you want to address?"

Donna Hitchens: "That's the issue I want to address."

Commissioner Siggins: "How long do you think you are going to take?"

Donna Hitchens: "About 3 minutes."

Commissioner Siggins: "Alright, go ahead."

Stephen Bley: "For the record, may I object to it in so far as the Commission has ruled. I don't believe this is in issue, that parties who are not concerned, or parties who are not actually a party before this matter, should not be addressing the Commission on this issue."

Donna Hitchens: "My purpose in appearing before you is to urge that the hearing arising from police officer conduct at Peg's Place be kept open to the public. As an initial matter, I believe it is crucial that City Officials understand the prevailing atmosphere in the lesbian and gay communities of San Francisco. Many events over the last year, including Prop. 6, the assassination of a loved and respected leader, the legal response to Dan White and accused police and citizen violence, directed towards members of the community have led to an atmosphere of tension, fear, frustration and distrust. Distrust especially of city officials

DOCUMENTA DEPT.

WILSON

WILSON

and institutions. The incident that gave rise to the hearing that is now before you has been a contributing factor to these tensions. The incident is well known and the hearing is being followed closely by members of the community. There are two very significant and inter-related reasons for keeping the hearing open to the public. First, a secret hearing would contribute significantly to the fear and distrust already existing in the community, whether it is not what you mean to convey. I believe the message heard in the community is that when lesbians are the victims and file complaints they are not entitled to support or protection. And when gay people are the recipients of police misconduct the police will be protected. I honestly and regretfully believe that the reality of the situation is that a closed hearing invites a strong and angry response. Second, the hearing involves police conduct in the community. We, as a community, are particularly sensitive to privacy concerns but the issue here is not some aspect of an officer's personal life or conduct entitled to a privacy protection, rather, it involves the conduct of officers that took place in a public community establishment in the presence of members of the public. The concern and interest of the community that has resulted from this incident far outweighs the rights of the officers involved to have the evidence kept secret. I understand that you are not compelled by law to close this hearing and, in fact, the spirit of the Brown Act might best be served by an open hearing. I strongly urge you in the interest of improving Police Community Relations and also in the interest of building some rapport between this city and its gay community, to exercise the discretion given you by law in favor of an open and honest hearing. Only then can members of the community know what transpires and be in a position to understand its outcome. Thank you."

Commissioner Ciani: "I just wanted to discuss briefly some opinions of the City Attorney since there was some confusion last time as to what the law is and although we haven't been able to reach the City Attorney today, to confirm this, it appears that in an opinion dated July 3, 1972, addressed by then City Attorney Thomas O'Connor to then President of the Commission, Elmo Ferrari, the question before us last week was squarely presented to the City Attorney who was specifically asked whether a member appearing before the Commission has a right to request a private hearing. And in response, the City Attorney indicated that a member has a right to request a private hearing but, to quote the relevant part of the opinion, 'and in answer to your second question you are advised that you are not obligated to accord a non-public hearing to the employee as requested. The determination of whether to hold a public or non-public proceeding rest solely with the Police Commission as a matter of law.' And there are some later opinion that were not on point and which in some dictum cast some light, some doubt on that opinion, but I believe that that's the only one in which the issue was squarely presented and answered. I just wanted the rest of the Commission to be aware of the fact that according to this opinion we alone have the discretion whether the meeting is open or closed."

Commissioner Murphy: "Mr. President, with that in mind, plus the fact that we have heard from the Board of Supervisors and various other responsible persons, I would like to move that we reconsider the closing of this hearing and opening it for a public hearing."

Stephen Bley: "May I ask before a vote is taken on that Madam Murphy, you say we have heard from the Board of Supervisors and other important people, may I be made privy of...is the Commission being contacted by these parties of whom we are not aware of regarding this case on whether this meeting should be open? Has there been contact with the Mayor, or any of her representatives, or any members of the Board of Supervisors regarding the issues at this meeting?"

Commissioner Ciani: "This is an issue of public interest and there are a lot of members of the public who have made comment both publicly and privately."

Stephen Bley: "Well the question I was asking is, has there been any contact with the Mayor?"

Commissioner Murphy: "We have a letter from Louise Renne and seconded by Carol Ruth Silver, I have just delivered it this evening."

Commissioner Siggins: "No, no it's actually from..
....."

Commissioner Murphy: "Well, it's from the Clerk of the Board of Supervisors carrying out their request to inquire as to why this was not an open meeting. That's one thing. It wasn't solicited at all."

Stephen Bley: "Has anyone contacted the Mayor to your knowledge, and talked with her?"

Commissioner Murphy: "Not that I know of."

Commissioner Ciani: "Why do you ask?"

Stephen Bley: "I have information that a member of this Board specifically went and talked with the Mayor and asked the Mayor to use her good offices to impress upon the other members of this Commission that this should be an open hearing."

Commissioner Ciani: "Oh, I hadn't heard that."

Commissioner Murphy: "At a meeting on an entirely different subject I pointed out that I thought it politically unwise to have closed meetings. It has been discussed with her, I discussed it, but I didn't ask her to do anything other than what she wished to do and she didn't answer me."

Commissioner Sanchez: "Mr. Chairman, if I might speak, I am a little concerned about the dialogue. It seems to me that the basis of the administrative hearings of this Commission is by the democratic process. There was a vote taken at the last meeting, there were differences of opinion which all of us respected, and I think, in essence, we should carry on with what we did and provide the maximum of objectivity regarding the feelings of anyone in the department and the serious allegations brought against the department pertaining to the charges. I think that, again, if we are going to change the ground rules at this point, I think we are making a mockery of the administrative process and the spirit of the Brown Act as it was so intended, would be my interpretation."

Commissioner Ciani: "With due respect Commissioner, I think there was some confusion about what the law was and I would think that all members of the Commission would like to be aware of what the opinion of the City Attorney is with respect to the law and then if you wish not to change your position, then that's your privilege."

Commissioner Sanchez: "Well it seems that Commissioner Ciani there have been, evidently, others that have had more time to review this material and/or contact, or there has been discussion with, evidently, some members of the Board of Supervisors and they are pertaining to these matters, and I did not, and therefore I am going according to the processes and procedure that was assessed pertaining to this administrative hearing and I assume the Commission would do the same."

Commissioner Ciani: "I didn't understand that. If that's a motion, I would second the motion that the matter be reconsidered."

Commissioner Siggins: "Alright, I call the question, all in favor?"

"AYES?" Commissioners Ciani, Murphy

"OPPOSED?" Commissioners Sanchez, Toler, Siggins

Commissioner Siggins: "The hearing in the matters of Officers Marr and Kelly will be in Executive Session and we shall start within the next couple of minutes and we ask that this Hearing Room be cleared and that only the personnel involved be in attendance."

There was a reference to a communication from the Board of Supervisors and actually it's a letter from Margaret McGuire to me and I was just handed a copy of it just a minute before we came out into this hearing and it was a question of whether Supervisor Renne.....'I joined by Supervisor Carol Ruth Silver ask that a letter of inquiry be directed to you asking for information you could furnish us as to the reasons for not conducting these hearings in public and a response to the allegations that although police officers are permitted to be represented by counsel other witnesses are not. Your early reply to the Supervisors concern would be appreciated.' The record should show that anybody who appears here as a witness is entitled to be represented by counsel and we would not restrict anybody in that regard."

CONTINUATION OF THE HEARING OF POLICE OFFICER MICHAEL KELLY, VICE CRIMES DIVISION

The matter of the hearing of Police Officer Michael Kelly, Vice Crimes Division, was called, it having been continued from the meeting of August 29, 1979.

Police Officer Michael Kelly appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

Opening statement was submitted by Mr. Lawrence Wilson, Prosecuting Attorney.

Mr. Stephen Bruce Bley, Attorney for the Defense, stated that he would withhold presenting an opening statement at this particular time.

The following-named witness appeared for the Prosecution, was sworn and testified:

Miss. Alene Levine
807 Joost Avenue
San Francisco, California

Miss. Levine was represented by Mr. Thomas Steele, Attorney at Law, who was present during her testimony.

The following exhibits were entered into Evidence by the Prosecution:

Exhibits A
thru G - Various photographs of interior
of Peg's Place.

Exhibit H - Photograph of exterior of Peg's
Place.

Exhibit I - Profile photograph of Police
Officer Daniel Marr.

The Commission then adjourned at 2000 hours,
and the matter was continued to Thursday, September
20, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER
DANIEL MARR, COMMUNICATIONS BUREAU

The matter of the hearing of Police
Officer Daniel Marr, Communications Bureau, was
called, it having been continued from the meeting
of August 29, 1979.

Police Officer Daniel Marr appeared in
person and was represented by Mr. Stephen Bruce
Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law,
appeared as the Prosecutor for the Police De-
partment.

Opening statement was submitted by Mr.
Lawrence Wilson, Prosecuting Attorney.

Mr. Stephen Bruce Bley, Attorney for
the Defense, stated that he would withhold present-
ing an opening statement at this particular time.

The following-named witness appeared for
the Prosecution, was sworn and testified:

Miss. Alene Levine
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Miss. Levine was represented by Mr. Thomas Steele, Attorney at Law, who was present during her testimony.

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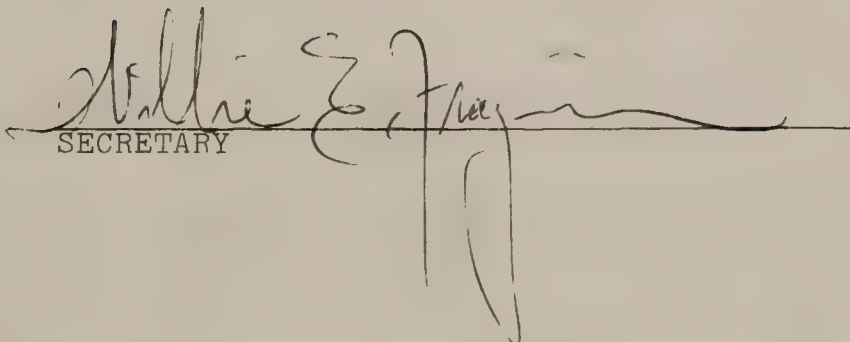
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thru G - Various photographs of interior of Peg's Place.
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The Commission then adjourned at 2000 hours, and the matter was continued to Thursday, September 20, 1979, at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission then adjourned its meeting at 2000 hours.


SECRETARY

12 SEPTEMBER 1979

REGULAR MEETING

The ~~Police~~ Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 12, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Murphy, Sanchez, Toler, Siggins

DOCUMENTS DEPT.

ABSENT: Commissioner Ciani

NOV 13 1979

Commissioner Siggins presiding.

**SAN FRANCISCO
PUBLIC LIBRARY**

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

599 MASON STREET - MARINE'S MEMORIAL - HELD OVER
FROM SEPT. 5, 1979 - DENIED

- a) At 599 Mason Street, install a 22' white zone, extending from 17' to 39' south of Sutter Street. DENIED.
- b) First meter on Mason Street south of Powell to be removed. DENIED.

2501 CLEMENT STREET - ABC STAMP CO.

- a) At 2501 Clement Street, install a 29' yellow zone, extending from 33' to 62' west of 26th Avenue. (Zone ends at driveway.)

94 LAFAYETTE - TOOL MASTER RENTAL & SUPPLY

- a) At 94 Lafayette, install a 22' yellow zone, extending from 74' to 96' north of Howard Street.

APPROXIMATELY 220 LARKIN STREET - S.F. PUBLIC LIBRARY

- a) At approximately 220 Larkin Street, install a 22' Blue Zone, extending from 89' to 111' south of McAllister Street.

INDEX

1. The first group of people who are interested in the study of the history of the world are the historians. They are people who are interested in the past and who want to know what happened in the world. They study the past in order to learn from it and to understand the present.

- b) Remove meter head LAR 220 (15 min.) place 15 min. head on meter LAR 212.

594 HOWARD STREET - NATIONAL MULTIPLE SCLEROSIS SOCIETY

- a) At 594 Howard Street, install a 22' Blue Zone, extending from 73' to 95' east of 2nd Street.
- b) Remove meter HOW 590.

1665 HAIGHT STREET - THE RED VICTORIAN

- a) At 1665 Haight Street, install a 22' white zone, extending from 52' to 74' west of Belvedere.

1665 HAIGHT STREET - THE RED VICTORIAN

- a) At 1665 Haight Street, install a 22' yellow zone, extending from 74' to 96' west of Belvedere Street.
- b) Remove meter HAT 1643.

1661 HAIGHT STREET - THE RED VICTORIAN

- a) At 1661 Haight Street, revoke existing 41' yellow zone, extending from 33' to 74' west of Belvedere Street.
- b) Install one meter - one white zone.

3105-3107 SACRAMENTO STREET - REALTY ENTERPRISES, INC. - DENIED

- a) At 3105-3107 Sacramento Street, install a 30' green zone, extending from 93' to 123' west of Baker Street. DENIED.
(Between bus zone and private driveway.) DENIED.

22' WHITE ZONE AT 2340 GEARY STREET - TO BE RE-CALENDAR.

1582 FOLSOM STREET - HAMBURGER MARY'S RESTAURANT -DENIED

- a) At 1582 Folsom Street, install a 22' white zone, extending from 23' to 45' west of 12th Street. DENIED.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 41 feet of yellow zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 552-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain, in the amount of \$6,000.00 charging same to Firm No. 355081 2010 133 01 as an advance on the Police Narcotic Fund for the month of September, 1979.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 553-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain, in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of September, 1979.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 554-79

DANNY LEM AND CALIFORNIA STATE
AUTOMOBILE ASSOCIATION

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Danny Lem and the California State Automobile Association against the City and County of San Francisco in the sum of \$1,320.76 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: February 26, 1979

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 555-79

MARY LOU MARSTON AND
INDUSTRIAL INDEMNITY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mary Lou Marston and Industrial Indemnity against the City and County of San Francisco in the sum of \$282.08 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: April 10, 1979

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 540-79

AMENDING RESOLUTION NO. 529-79 BY DELETING OFFICER
GLENN PENNEBAKER AND ADDING SERGEANT JULIAN LANDMAN,
OFFICER JEREMIAH MORGAN AND OFFICER HENRY HUNTER FOR
ENROLLMENT IN THE ADVANCED SPECIAL WEAPONS AND TACTICS
COURSE.

AUTHORIZING ATTENDANCE OF SERGEANT ROBERT HANKINS,

OFFICERS BRIAN D'ARCY, ROBERT DEL TORRE, ROBERT HOCH, SERGEANT JULIAN LANDMAN, OFFICER JEREMIAH MORGAN, AND OFFICER HENRY HUNTER, CRIMES SPECIFIC TASK FORCE, AT THE ADVANCED SPECIAL WEAPONS AND TACTICS TRAINING COURSE AT SANTA ROSA, CALIFORNIA, FROM SEPTEMBER 17, 1979 TO SEPTEMBER 21, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Robert Hankins, Officers Brian D'Arcy, Robert Del Torre, Robert Hoch, Sergeant Julian Landman, Officer Jeremiah Morgan, and Officer Henry Hunter, Crimes Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Course at Santa Rosa, California, from September 17, 1979 to September 21, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Robert Hankins, Officers Brian D'Arcy, Robert Del Torre, Robert Hoch, Sergeant Julian Landman, Officer Jeremiah Morgan and Officer Henry Hunter, in a sum not to exceed \$261.25 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 556-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Bill R. Taylor)	\$380.00	(At the Polygraph
Internal Affairs Bureau)		(Training Seminar
		(at San Diego, Cal-
		(ifornia, from Aug-
		(ust 5, 1979 to Aug-
		(ust 10, 1979, in-
		(clusive.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

Commissioner Murphy: "I would like to ask if you have any news on what is happening to the new recruits that we are trying to get into the department?"

Chief Gain: "Yes, I have this information that there was a meeting scheduled in Federal Court yesterday and when the parties, court, convened the judge suggested that the parties meet to discuss various issues. They met for approximately 2-1/2 to 3 hours, no resolution was reached, therefore it is still in limbo. The next court session is scheduled for the 26th of September. So, in a word, we don't know what is going to happen but, obviously, one consequence will be is that we will probably not have a recruit class starting as we had hoped for, planned, on October 15th. It will probably be in November or December, which, when it comes to additional numbers of officers that we want for this fiscal year to provide police services, we are not going to get them as soon as we had hoped for. It seems like the essential difference is that some (persons) want a list of 500 eligible persons so that during this fiscal year we could hire 320 police persons. Others want a list of 250 which would permit a hiring of 150 during this fiscal year. Those are the essential differences and, of course, we feel it's critical that we have a list of 500 so that we can hire 320 because there is such a grave need for police officers. But it is up in the air, we don't know what is going to occur and the 26th of September will be the next meeting in court, and how it's going to be resolved, of course, no one simply knows at this time."

Commissioner Murphy: "That's Judge Peckham's Court?"

Chief Gain: "Yes."

Commissioner Sanchez: "Through the Chair if I might, I would like to ask the Chief some questions pertaining to his report to us on the adult crossing guards and other types of differential law enforcement people we have. Last year a number of us had asked you to insure that during the first couple of months of school, especially with the white zones, that there would be full compliance, especially where kids were being loaded and unloaded. Especially in a number of areas where there is extreme heavy traffic. I mention, in particular, a number of schools in the Mission and other parts of the City where the bus zones were always backed up and they had to triple park, and the cars were not stopping for the kids, and we received numerous complaints from parents, and from administrators, and some times the busses didn't come, and

you had kids standing on the corner, etc., etc. Perhaps the department would do a public relations job again as we did towards the tail end, talking about the fact that school, hopefully, will be open next Monday. The San Francisco Police Department will be enforcing all white zones for loading the school busses for kids and, again, if, perhaps, busses are stopped and they have those lights blinking, the red lights on both sides, this means that the vehicles must stop. And I would hope that we might deploy some of our solo-bikes to insure enforcement, especially during the first couple of weeks because, thank god, last year there were no injuries to children or anybody killed, but again, it becomes a very touchy situation, especially with the dismantling of the school system anyway as far as the number of programs and transferring of kids, and I really think we are going to have to take a positive step on that, so I would hope also that the adult crossing guards would play a very active role in this and sometimes they might be able to at least to bring to the attention of the local precinct, or captain, the fact they are having trouble in certain areas rather than always have it come from this level."

Chief Gain: "We will do it."

Commissioner Sanchez: "Thank you kindly."

Commissioner Murphy: "I was very impressed however, with this 'Adult Guard Crossing Manual.' It is very thorough."

Commissioner Sanchez: "Yes, it's a good report."

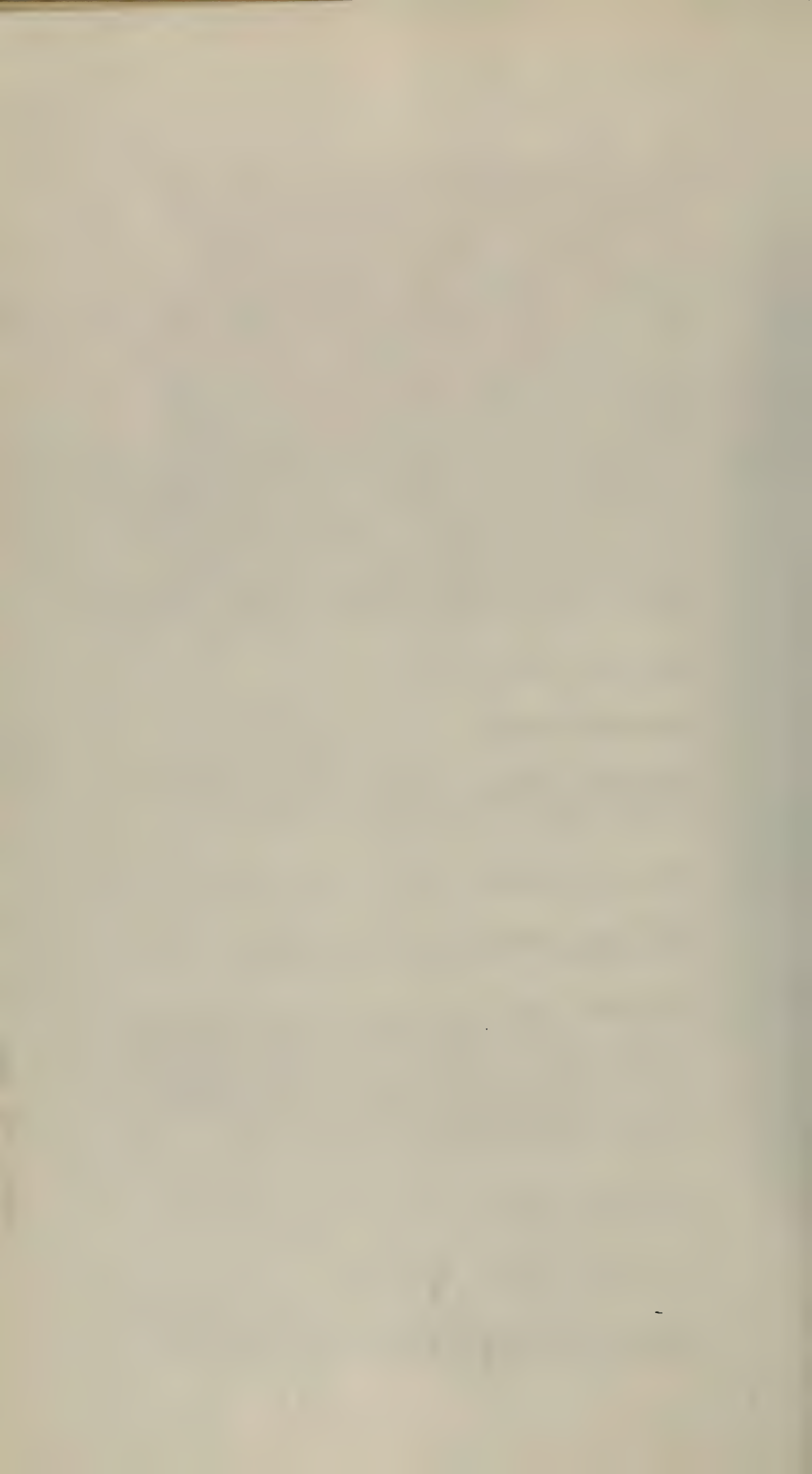
Chief Gain: "Sergeant Sturken did a good job, he and his Staff, in putting that together."

Commissioner Murphy: "We received a letter on August 28th, I think it was, from the Human Rights Commission asking us to take a position and nothing has been done about it. I don't think we are ready to do that tonight, but I do think it should be calendared at some time relatively soon. One Commission asking another Commission to take a position on any subject should be answered."

Chief Gain: "Probably should be, they should be given a response."

Commissioner Murphy: "Thank you."

Mr. L. Monterey then asked if he could take perhaps a minute or so of the Commission's time. He then stated that his name was Leonel Uriarte Monterey,



President of the Mexican American Political Association. He requested a minute or two to explain his presence and to make a request to the Police Commission. He continued by saying that it had to do with the indiscriminate stopping of Latino youth in the Mission and the heavy presence of the police force, the confiscation of radios, the Tac Squad, and the unnecessary abuse of force by members of the police force against targeted Latino youth and low riders and he was requesting the Commission to have a public hearing and allow MAPA the opportunity to present testimony to the Commission in regard to the above-stated matters.

Chief Gain then stated that he wanted to endorse Mr. Monterey's request for a public hearing. He said that there has been a problem on Mission Street in the area referred to for several weeks and the police are in the middle. He said the area in question is Mission Street on Thursday, Friday and Saturday nights relative to the number of vehicles on the streets and things of that nature.

Commissioner Toler then moved that the matter be put on calendar for a public hearing.

The motion was seconded By Commissioner Sanchez and unanimously approved.

It was then calendared for public hearing on September 26, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

ADOPTION OF PROPOSED SAN FRANCISCO CHARTER CHANGES
TO BE SUBMITTED TO THE SAN FRANCISCO CHARTER COM-
MISSION. (CONTINUED FROM THE MEETING OF SEPTEMBER
5, 1979)

Commissioner Siggins stated that he had no opposition to any of the proposed Charter Changes.

Commissioner Toler then stated that he would move for their adoption.

Commissioner Sanchez seconded and the matter was unanimously approved.

The Commission then complimented Lieutenant Trueb for the work he had done on getting all of the proposed amendments prepared for submission.

RESOLUTION NO. 557-79

APPROVAL OF PROPOSED SAN
FRANCISCO CHARTER CHANGES

RESOLVED, that the Police Commission hereby approves the proposed San Francisco Charter Changes as submitted herewith to the San Francisco Charter Commission.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

DISCUSSION REGARDING THE RE-ESTABLISHMENT OF A
COMMUNITY RELATIONS BUREAU

Inspector Earl Sanders, President of the Officers for Justice Police Officers' Association, presented to the Commission a report in answer to the Chief's report previously submitted to the Commission regarding Police Community Relations. He stated that he had hoped the Commissioners had had the time to read the report. He continued by saying that earlier on the calendar a citizen had spoke of some problems indicating a need for a Police Community Relations Unit in the Mission District. Also, he stated, at this very moment there is a great deal of tension in the Southeast District, a predominantly black area. He said that certainly in 1979, the Officers for Justice feel there is a great need for a centralized Police Community Relations Unit and have set forth their thoughts in this report as submitted.

Commissioner Siggins stated that he felt the question of why a centralized Police Community Relations had not been answered. He stated that if there is a problem at the Southeast, the Mission, or any of the other stations, the Captain should be the one to handle it.

Commissioner Murphy then stated that she was interested in the report and also in a variety of comments that she has received from the Community. She said she didn't think it was an either/or situation anymore.

She said she thought the idea of Community Relations in the stations was excellent, that it was also a good idea for keeping district stations open rather than consolidating them into three very large ones. She said, in her opinion, the Captains had

done a very good job in communicating and gaining cooperation with the business community.

However, she did think that putting this responsibility on every single officer is somewhat idealistic. She had gone along with the new idea of Police Community Relations when the centralized unit was disbanded but she has now **changed** her mind. However, the Department should not return to the old system. She said she felt that method was outdated, that she was in on the beginning of it and that it had served its original purpose but she felt now that the matter is entirely different.

She said she would like to see some kind of system worked out where there would be staff assigned that would have the expertise, knowledge and sensitivity as to what is occurring in the various segments of the community and who could help the administration and the captains to understand the problems and arrive at a viable solution. This would not preclude having certain officers in the District Stations also responsible for community relations.

Chief Gain stated that the Mission District Captain has a very good community relations system operating in that district. He says that station has done more, and is continuing as a station based upon need, to relate effectively with all segments of that community. He said the Captain there has specialist in Police Community Relations who do an excellent job. He recommended that the Commission direct Staff to study the issue and submit proposals as well as the need for, and availability of officers to staff, if need be, whatever specialized function recommended.

Commissioner Sanchez stated that he had had mixed feelings over the past year and a half during his tenure as a Commissioner, and remembering the Police Community Relations from before, he could recall many good points. And some points, he felt, could have been looked at from a different perspective. He said because of the many changes occurring within the city many policies now in effect need to be reviewed and re-addressed as far as how the Department can constructively create, in an equitable manner, a bureau something akin to a Bureau of Special Services which would include such units as Project Safe, the PAL, and Youth Services. He said he would hope that if something is proposed for institutionalization that it wouldn't be too heavy in the Hall of Justice.

He said he would encourage a study by Staff to see if the Department might have certain needs today, 1979, as far as projections for the next five years in dealing with some of the key areas mentioned, such as Youth Services, Project Safe and its possible expansion, Prevention and Community Relations with a view as to whether the Department has some Bureau which might be conceptualized as not a major function but as a supportive unit in nature.

Chief Gain then stated that he would submit a proposal which, if the Commission adopts, could be turned into a plan of action.

Commissioner Murphy then made a motion directing Department Staff to prepare a proposal which could be utilized as a plan of action for instituting a Police Community Relations function. This motion was seconded by Commissioner Toler and unanimously approved.

The following-named persons were also permitted to present testimony on the Police Community Relations subject:

Inspector Rodney Williams, former Director of the Police Community Relations Unit.

Ms. Margaret Dunn, current Chairperson, Civilian Arm of Police Community Relations in the Ingleside District.

Both parties spoke in favor of re-instituting a centralized Police Community Relations Unit.

HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER VALCOUR L. EUGENE.

The hearing relative to the termination of Recruit Officer Valcour L. Eugene, was called, it having been set for this date.

Mr. Eugene did not appear and was not represented by counsel. Mr. Lawrence Wilson stated that he contacted Mr. Eugene who stated that he would withdraw his appeal of the Chief's termination order, and would submit a written confirmation in that regard.

Chief Gain stated that the Commission should then schedule a meeting for three weeks hence which would be sufficient time to have received Mr. Eugene's written response.

The Commission then continued the hearing relative to the termination of Recruit Officer Valcour L. Eugene, to Wednesday, October 3, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

HEARING RELATIVE TO THE TERMINATION OF RECRUIT
OFFICER DONALD JONES.

The hearing relative to the termination of Recruit Officer Donald Jones, was called, it having been set for this date.

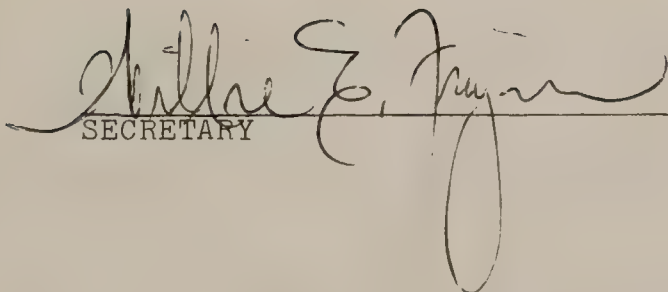
Mr. Jones appeared in person, and was not represented by counsel. He stated that he was having a continuing problem in obtaining legal representation and requested a continuance of three weeks, which he felt would be sufficient time to obtain proper representation. - 4 -

The Commission then continued the hearing relative to the termination of Recruit Officer Donald Jones to Wednesday, October 3, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting at 1901 hours.



SECRETARY

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19 SEPTEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 19, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

DOCUMENTS DEPT.

Commissioner Siggins presiding.

NOV 13 1979

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RECOMMENDATION OF THE TRAFFIC BUREAU - DENIED

A traffic representative of the applicant of the Flamenco Restaurant on Geary Street, had appeared at the Commission Hearing of last week but was not cognizant of the fact until the end of that meeting, that the Commission had acted negatively upon the applicants request. He was advised to appear at this meeting where the matter would be discussed and he would be allowed to submit his reasons as to why the Commission should grant the restaurant the white zone as requested. The item was called and testimony in this regard was received from Officer Andrew Quaglia of the Traffic Survey Department, who stated that the Department recommended denial because of the size of the restaurant, and by the Department's guidelines, it did not seat 100 people nor did it have Valet Parking, criteria the restaurant did not meet.

The Commission then listened to the representative of the Flamenco who stated that it promoted a safety hazard to not grant the applicant's request.

The Commissioners, upon further discussion, voted to uphold the Department's recommendation.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning, for the regulation of traffic on the public streets, be, and the same are hereby approved:

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

CHICAGO, ILL. 60637

478 GREEN STREET - THE BALCONE GALLERY

- a) At 478 Green Street, install a 16' green zone, extending from west property line 16' east 2 spaces diagonal parking.

2605 JUDAH STREET - BAY BUSINESS MACHINES

- a) At 2605 Judah Street, install a 25' green zone, extending from 3' to 28' west of 31st Avenue.

731-737 WASHINGTON STREET - MOW FUNG CO.

- a) At 731-737 Washington Street, change existing yellow zone to STLZ 7 A.M.- 6 P.M.
60' STLA from 26' to 86' west of Brenham Place.

729 WASHINGTON STREET - MON FUNG CO. INC.

- a) At 729 Washington Street, change existing yellow zone, to STLZ 7 A.M.- 6 P.M.
22' yellow STLZ from 6' to 28' west of Brenham Place.

535 GREEN STREET - BUON GUSTO SALAMI, INC.

- a) At 535 Green Street, install a 22' white zone, extending from 7' to 29' east of west property line.
- b) Remove meter GRN 515, for valet parking.

175 NATOMA STREET - MYERS CO.

- a) At 175 Natoma Street, install a 20' yellow zone, extending from west building line 20' east of same.
- b) (Green to be revoked)

175 NATOMA STREET - MYERS CO.

- a) At 175 Natoma Street, revoke existing

20' green zone, extending from west building line 20' east of same.

2655 JUDAH STREET - S.F.P.D.

- a) At 2655 Judah Street, revoke existing 20' green zone, extending from 3' to 23' east of 32nd Avenue.

500 PRESIDIO - S.F.P.D.

- a) At 500 Presidio, revoke existing 22' green zone, extending from 9' to 31' south of California Street.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 62 feet of green zoning, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 558-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
(INSURED: HERBERT DREIFUSS)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Insured: Herbert Dreifuss) against the City and County of San Francisco in the sum of \$1,306.38 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 29, 1979

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 560-79

DR. ARTHUR COLEMAN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Dr. Arthur Coleman against the City and County of San Francisco in the sum of \$890.45 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 3, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 559-79

SUSAN M. MIDDLETON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Susan M. Middleton against the City and County of San Francisco in the sum of \$600.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: May 30, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 561-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
(INSURED: WAYNE HELDT)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Insured: Wayne Heldt) against the City and County of San Francisco in the sum of \$400.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: January 12, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 562-79

MARGIE POROCOBA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Margie Porocoba against the City and County of San Francisco in the sum of \$93.16 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 25, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 563-79

ALISON KASCH

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Alison Kasch against the City and County of San Francisco in the sum of \$87.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: February 20, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 564-79

KENNETH P. WILLIAMS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Kenneth P. Williams against the City and County of San Francisco in the sum of \$29.75 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 5, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 565-79

PATRICK M. MORRIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Patrick M. Morris against the City and County of San Francisco in the sum of \$23.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 26, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 566-79

AUTHORIZING ATTENDANCE OF SERGEANT RICHARD RACINE, PERSONNEL AND TRAINING, AT A TRAINING MANAGEMENT COURSE AT SAN RAFAEL, CALIFORNIA, FROM OCTOBER 22, 1979 TO NOVEMBER 2, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Richard Racine, Personnel and Training, be detailed to attend a Training Management Course at San Rafael, California, from October 22, 1979 to November 2, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Richard Racine, Personnel and Training, in a sum not to exceed \$811.60, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 567-79

AUTHORIZING ATTENDANCE OF SERGEANT ROBERT HANKINS AND POLICE OFFICERS BRIAN D'ARCY, GARY ELSENBROICH, ALEX PAGAN, MICHAEL LAWSON, MICHAEL MC ELLIGOTT, ROBERT PUTS AND DAVID ROCCAFORTE, CRIME SPECIFIC TASK FORCE, AT THE

ADVANCED SPECIAL WEAPONS AND TACTICS REFRESHER
COURSE AT FORT ORD, MONTEREY, CALIFORNIA, FROM
OCTOBER 9, 1979 TO OCTOBER 10, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Robert Hankins, and Police Officers Brian D'Arcy, Gary Elsenbroich, Alex Fagan, Michael Lawson, Michael McElligott, Robert Puts, and David Roccaforte, Crime Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Refresher Course, at Fort Ord, Monterey, California, from October 9, 1979 to October 10, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Robert Hankins and Police Officers Brian D'Arcy, Gary Elsenbroich, Alex Fagan, Michael Lawson, Michael McElligott, Robert Puts, and David Roccaforte, Crime Specific Task Force, in a sum not to exceed \$113.25 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 568-79

AUTHORIZING ATTENDANCE OF LIEUTENANT CHARLES BEENE AND SERGEANTS JAMES DACHAUER AND DAVID WINN AND POLICE OFFICERS HENRY HUNTER, JOHN HENNESSEY, TIMOTHY HETTRICH, JEREMIAH MORGAN, GLENN PENNEBAKER, STEVEN SILVERS AND WILLIAM TAYLOR, CRIME SPECIFIC TASK FORCE, AT THE ADVANCED SPECIAL WEAPONS AND TACTICS REFRESHER COURSE AT FORT ORD, MONTEREY, CALIFORNIA, FROM OCTOBER 4, 1979 TO OCTOBER 5, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Charles Beene, and Sergeants James Dachauer and David Winn and Police Officers Henry Hunter, John Hennessey, Timothy Hettrich, Jeremiah Morgan, Glenn Pennebaker, Steven Silvers, and William Taylor, Crime Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Refresher Course at Fort Ord, Monterey, California, from October 4, 1979 to October 5, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Charles Beene, and Sergeants James Dachauer and David Winn, and Police Officers Henry Hunter, John Hennessey, Timothy Hettrich, Jeremiah Morgan, Glenn Pennebaker, Steven Silvers, and William Taylor, Crime Specific Task Force, in a sum not to exceed \$113.25 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 569-79

AUTHORIZING ATTENDANCE OF SERGEANT RONALD JACKSON AND POLICE OFFICERS RICHARD HESSELROTH, ROBERT DEL TORRE, RICHARD HOLDER, HENRY KIRK, MARK POTTER, RAYMOND SHAFFER AND ROBERT SUDANO, CRIME SPECIFIC TASK FORCE, AT THE ADVANCED SPECIAL WEAPONS AND TACTICS REFRESHER COURSE AT FORT ORD, MONTEREY, CALIFORNIA FROM OCTOBER 2, 1979 TO OCTOBER 3, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Ronald Jackson and Police Officers Richard Hesselroth, Robert Del Torre, Richard Holder, Henry Kirk, Mark Potter, Raymond Shaffer, and Robert Sudano, Crime Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Refresher Course at Fort Ord, Monterey, California, from October 2, 1979 to October 3, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Sergeant Ronald Jackson and Police Officers Richard Hesselroth, Robert Del Torre, Richard Holder, Henry Kirk, Mark Potter, Raymond Shaffer and Robert Sudano, Crime Specific Task Force, in a sum not to exceed \$113.25 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 570-79

AUTHORIZING ATTENDANCE OF SERGEANT JULIAN LANDMAN, POLICE OFFICERS RICHARD SHEEHAN, GEORGE CIMA, JERRY DONOVAN, JOHN FREDRICKSON, RONALD KILLEN, PHILIP BILL, AND CHARLES TEDROW, CRIME SPECIFIC TASK FORCE, AT THE ADVANCED SPECIAL WEAPONS AND TACTICS REFRESHER COURSE AT FORT ORD, MONTEREY, CALIFORNIA, FROM OCTOBER 11, 1979 TO OCTOBER 12, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Sergeant Julian Landman, Police Officers Richard Sheehan, George Cima, Jerry Donovan, John Fredrickson, Ronald Killen, Philip Bill, and Charles Tedrow, Crime Specific Task Force, be detailed to attend the Advanced Special Weapons and Tactics Refresher Course, at Fort Ord, Monterey, California, from October 11, 1979 to October 12, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Sergeant Landman, Police Officers Sheehan, Ciani, Donovan, Fredrickson, Killen, Bill and Tedrow, Crime Specific Task Force, in a sum not to exceed \$113.25 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF CLEMENT DEAMICIS AND ICAP ANALYSIS SUPERVISOR LAWRENCE J. FUNK, AT AN INTEGRATED CRIMINAL APPREHENSION PROGRAM CLUSTER MEETING IN LAWRENCE, KANSAS, ON OCTOBER 16, 1979 AND OCTOBER 17, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Clement D. DeAmicis and ICAP Analysis Supervisor Lawrence J. Funk, be detailed to attend an Integrated Criminal Apprehension Program Cluster Meeting at Lawrence, Kansas, on October 16, 1979 and October 17, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses will be paid by the Integrated Criminal Apprehension Program.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commissioners, having received, amended and returned copies of the minutes of the meeting of July 18, 1979, July 23, 1979, July 25, 1979 and August 1, 1979, the reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief DeAmicis stated that he did not have a report for the Commissioners tonight.

Commissioner Ciani then stated that the Department is subject of criticism because of the way the crime statistics are released to the public. She said if you read the first paragraph it says that the volume of crime decreased and then it shows serious crimes significantly increasing with very small decrease in burglary, larceny and motor vehicle theft. She said overall it appeared to her to be a very serious increase while technically being tagged as an overall decrease.

Deputy Chief DeAmicis stated that the decrease comes about when you take all of the index crimes together. He said taken as a lump the index crimes which are considered by the FBI, and that is the Department's standard, the most serious. Taken as a whole there was a decrease in those crimes. He said if you break those crimes down then, obviously, you see a clearer and closer reading that there were an increase in homicide, robbery, rape and aggravated assault, and if you don't consider the 71 burglaries and 762 larcenies that came in too late to be entered, then there is a reduction in burglary, auto theft and larceny. He said there is no intention of obfuscating the matter, it is just a very clear way of reporting, using a nationally known method. He stated that he will recommend that the Department write this in a different way so that the late reported crimes can be included in the first paragraph of the press release.

Commissioner Siggins stated that it should be pointed out that there is nothing wrong in the Statistics themselves, that they are definitely accurate.

Commissioner Murphy then stated that on September 12th she had asked the Chief if he would consider meeting with Park and Recreation, and other appropriate persons in the city, to see if there was anything they could do that would divert some of the energy of our youth who are mugging and harrassing the public on busses and elsewhere and being generally destructive. She suggested the swimming pools, for example, in Hunters Point, or using some of the abandoned ships and gymnasiums, etc.

She said that if such a meeting was held it would seem that those authorities could get at some of the root causes of the youths delinquencies rather than just attacking it on the surface by trying to provide more and more police, which the Department will not be able to do.

She said she would like some kind of response to her request, made on September 12th, in the not too distant future, at least before January 8, 1980.

She then stated that she felt the police were being very cavalier in their response to calls for service. She read, as an example, from an article in Herb Caen's column which spoke of the number of solo/motorcycles on duty the night a prominent attorney was killed by an alleged signal jumper. She said it went on to state that another citizen had his car totaled by another traffic light violator at Sacramento and Franklin. She said the article continued with that even though two people were injured the police did not want to make a report. She said she was wondering if it would be appropriate to have a meeting with the Board of the POA and see if they could ask their fellow officers, to at least, to the best of their ability, carry out their sworn duties whether they like the Chief, or the Commission, or anyone else.

Deputy Chief DeAmicis stated that he had taken notes on these issues and that he would bring it to the Chief's attention first thing tomorrow morning.

Commissioner Sanchez then asked if there was any news on the scoring of the Q2 exam.

Deputy Chief DeAmicis stated that the Auditor Monitor had been working and trying to get all sides to agree on whether to accept what the Civil Service Commission wants, a scoring on a 50-50, meaning 50 Audio Visual and 50 Oral, or 100% on the Oral. He said the Auditor Monitor has been trying to get concurrence for approximately two weeks. He said on the 26th of September there is going to be a hearing in Judge Peckham's court and at that time there will undoubtedly be a determination as to how the scoring will be. He said if all goes well from that meeting and a decision is made on that date, the Department could probably start a class by the 2nd or 3rd week of November.

Commissioner Sanchez then stated that the last time the Commission met there was a discussion about the alternate uses of the gym and lockers and that everyone would work together to try and come up with some rational options. He said after the meeting he called a number of people to see about obtaining lockers and was promised by the school authorities that lockers would be provided for the new Police Academy. He asked Deputy Chief DeAmicis for a status report in that regard.

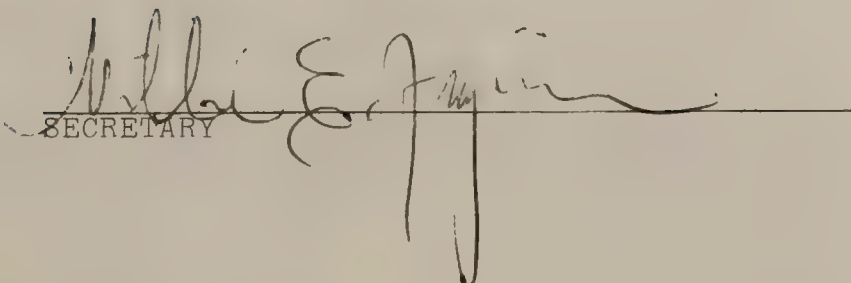
Deputy Chief DeAmicis stated that since that time 40 half size lockers were transferred from School Department Property to Fremont School. He said these were used lockers and in some cases, quite battered. He said the School Department had promised approximately 80 or 85 additional lockers at another time. He said the Chief reviewed the

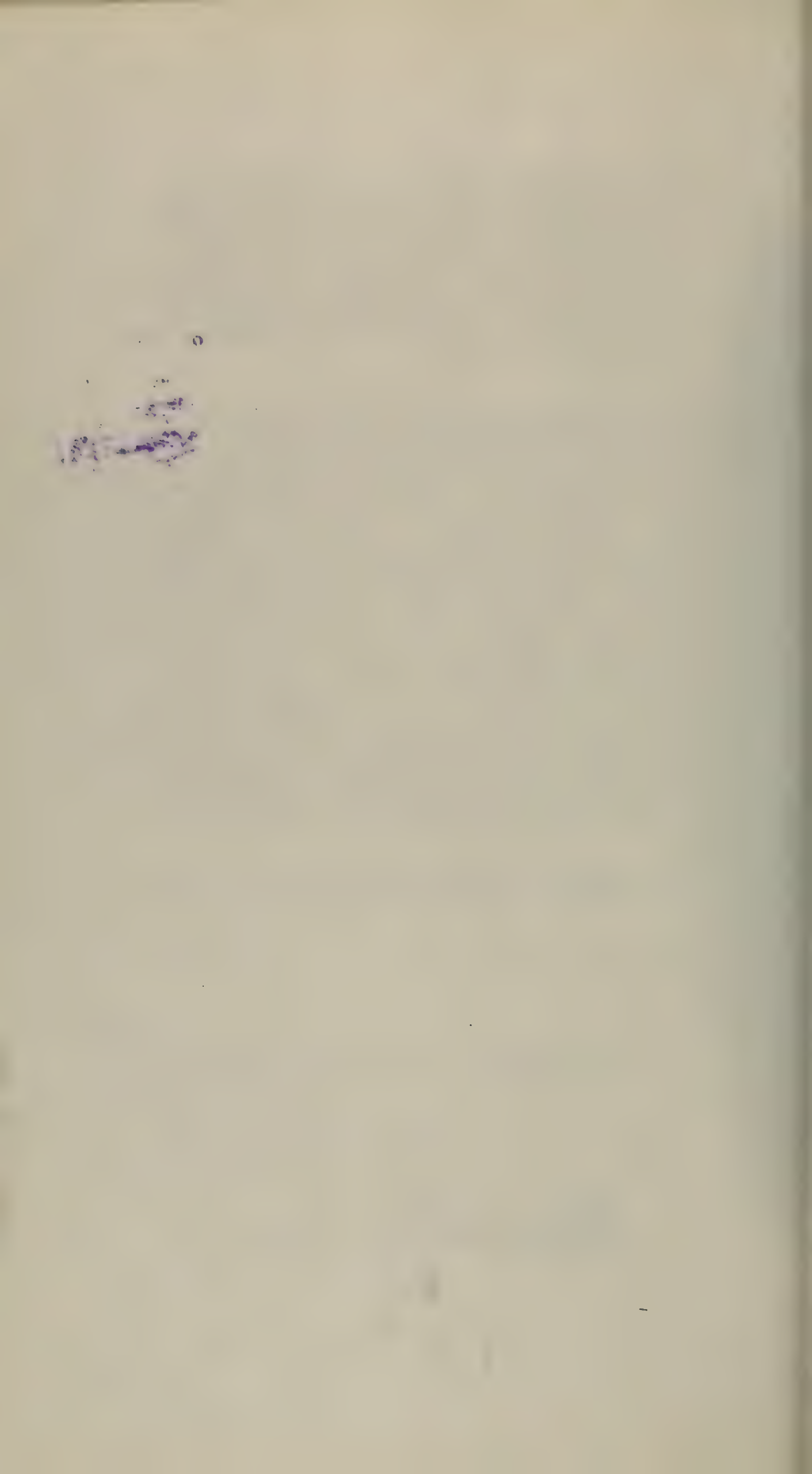
entire situation and it was his conclusion that the quality of the lockers and the size of the lockers received from the School Department was inappropriate for the use of police officers at Fremont School. He continued by saying that, therefore, the Chief is preparing a presentation and recommendation to the Commission as to what should be done. He said lockers in the gym here in the Hall of Justice have not been moved as some parties have so stated.

Commissioner Sanchez stated that he would just like to make two points. He said number one, when he spoke to school officials the following morning their first response was that they have new lockers, full size, some are stored at Poly and some are out at the supply depot, and that he had asked Staff here regarding the size and Staff said they wanted the half size lockers like they have in the gym here. So therefore, he stated, that he then called the school officials and advised them of the request and they said okay if that's what you want, but we have the full size lockers if you want them. He said the second thing was that lockers were moved out of the Hall of Justice gym. He stated that persons who had personal gear there were not notified, i.e., "within 72 hours, we are going to take x number of lockers 1 through 15, if you have any personal gear please get rid of it." He said there were lockers taken out there with personal gear with no notification whatsoever. He then advised the Deputy to check and find out what happened to those lockers and what happened to the personal effects of some of the officers who had items contained therein.

Deputy Chief DeAmicis stated that he would personally look into it tomorrow morning.

The Commission then adjourned its meeting at 1830 hours.


SECRETARY



26 SEPTEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, September 26, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

DOCUMENTS DEPT.

Commissioner Siggins presiding.

NOV 13 1979

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

135 STOCKTON STREET - I. MAGNIN

- a) At 135 Stockton Street, install a 41' STLZ yellow zone 7 A.M. to 4 P.M., extending from 75' to 116' south of north property line.

133 STOCKTON STREET - I. MAGNIN

- a) At 133 Stockton Street, install a 21' STLZ yellow zone, extending from south property line 21' north of same, 7 A.M. to 4 P.M.

133 STOCKTON STREET - I. MAGNIN

- a) At 133 Stockton Street, revert existing 21' white zone, extending from north property line 21' north of same.

235 GEARY STREET - I. MAGNIN

- a) At 235 Geary Street, install a 20' white zone, extending from 4' to 24' east of west property line.

DOCUMENTS DEPT.

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1335 GERRY STREET - T. MAGNIN

- a) At 1335 Gerry Street, revoke existing 20' yellow zone, extending from 4' to 24' east of west property line.

1167 HARRISON STREET - MARVIN TAYLOR & ASSOCIATES

- a) At 1167 Harrison Street, install a 22' green zone, extending from 22' west of east property line.

109 BALBOA STREET - FAR EAST PLUMBING - DENIED

- a) At 109 Balboa Street, install a 22' yellow zone, extending from 55' to 77' west of 2nd Avenue. DENIED.

1501-42nd AVENUE - FRANCIS SCOTT KEY SCHOOL

- a) At 1501-42nd Avenue, revoke existing 156' white zone, extending from 10' to 166' south of Kirkham.

APPROXIMATELY 668 MISSION STREET - S.F.P.D.

- a) At approximately 668 Mission Street, revoke existing 22' yellow zone, extending from 109' to 131' west of Anne Street.

3411-24th STREET - SNOOP SISTERS

- a) At 3411-24th Street, revoke existing 22' green zone, extending from west building line 22' east of same.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 241 feet of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 572-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of the California State Automobile Association in the sum of \$900.00 in Superior Court Action No. 739-061 entitled "California State Automobile Association vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 3, 1977

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 573-79

PETER P. SPERA AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Peter P. Spera in the sum of \$900.00 in Superior Court Action No. 739-061 entitled "Peter P. Spera vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approve.

Date of Incident: June 3, 1977

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

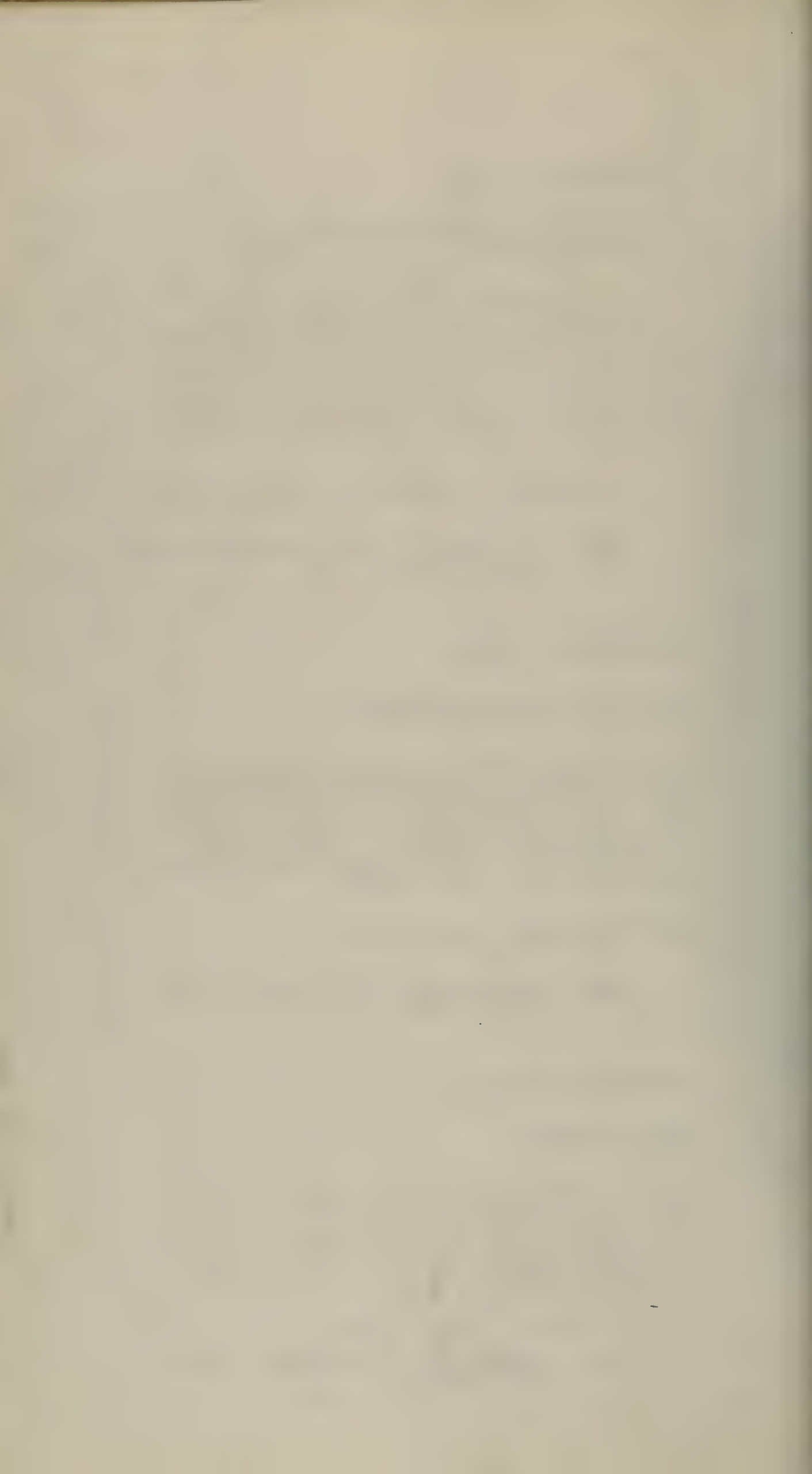
RESOLUTION NO. 574-79

SHERWIN BANCROFT

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Sherwin Bancroft against the City and County of San Francisco in the sum of \$171.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 24, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins



THE CLAIM OF VALERIE FRUGOLI AND HER ATTORNEY
IN THE SUM OF \$5,628.00 WAS CONTINUED TO THE
MEETING OF OCTOBER 3, 1979.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of August 8, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President and members of the Commission, there was a matter in Federal Court today having to do with the Consent Decree and the City's compliance and I will just report briefly because I don't know, or quite understand, what all the implications, or details, are because of the nature of the proceeding but, one thing the judge stated is that it is his tentative conclusion (Judge Peckham) that there will be 160 persons hired off the current list, on a 50-50 grading basis, that is 50% on the Oral and 50% on the Audio Visual, that's 160, and, in addition, there will be 30 women hired and 9 bilingual persons hired off that list for a total of 199. So there was no set number of persons to be on the list, rather that number would be hired from the existing list. Now the details that have to be worked out is to one other matter that is included in that. The second I characterized as a tentative decision the judge made because he is taking things under submission and will be entertaining it tomorrow and, perhaps, be issuing orders tomorrow, and the second thing was this, that there will be a Consent Decree Unit established in the Police Department under the Police Commission and Chief of Police and with functional direction by the Auditor Monitor. That Consent Decree Unit would have responsibility for retention of Personnel, for recruitment, for remediation, for counseling, for training, that is the Academy and the FTO Program, for examination development as regards to forthcoming Q2 lists, for exam validation and reporting matters as required by the Decree. The Consent Decree Unit would be comprised of sworn police officers and non-sworn police officers. As I understand the non-sworn police officer that would be in that unit might well be hired under contract. So within a word the, based upon what was stated today and presumably subject to further entertainment by the judge and final decision, is that the Police Commission and Police Department would have the responsibility for matters heretofore invested in the Civil Service Commission.

Sergeant Stevens is here, he was also there taking more notes while I was in conversation. Sergeant, can you add to any details of what I have stated?"

Sergeant Stevens: "No sir."

Commissioner Siggins: "The court had to sign an order at any rate."

Chief Gain: "No. Tomorrow the court will entertain it again and then orders may be forthcoming tomorrow, if not tomorrow, then presumably the next day. Commissioner Solomon of Civil Service was there, the attorney, Michael Killelea representing the City, and principally the Civil Service Commission, took exception to this proposal by the judge, or tentative order, if that is the right way to characterize it, and Mr. Killelea made some representations to the court for things to be taken into consideration. The judge did take one or two things under consideration and a report on a couple of matters is due tomorrow from Mr. Killelea, presumably then the judge will make a final decision and issue final orders."

Commissioner Ciani: "Could you explain a little bit how you could displace the Civil Service Commission as far as testing decisions are concerned? Are those functions supposed to take place in this unit?"

Chief Gain: "Well, I explained to you.....these are the things that the judge listed among the things that the unit would be doing. It was not all inclusive, there may be others. But again, he specifically mentioned about in the order are retention of newly entered recruits, probationary and permanent personnel, recruitment, retention, counseling, training, examination development, validation of examinations, responsibility for collecting data and submitting reports called for by the Consent Decree and things of that nature."

Commissioner Ciani: "Well, ordinarily if someone were to be terminated during the academy would he have a right of appeal to Civil Service?"

Chief Gain: "Well, what happens is if a police officer during probation is subject to disciplinary action, including termination by the Chief of Police while on probation, after that probationary year of course, it's within the purview of the Police Commission."

Commissioner Murphy: "Yes, but what I am wondering about is does this take from the Chief of Police, for example, the authority to dismiss? Do we rule on whether he is to be terminated or not?"

Chief Gain: "No, oh no, the Consent Decree Unit would be housed in the Police Department, a part of the Police Department under the administration of the Police Commission and the Chief of Police. The Auditor Monitor, as the way it was phrased, would have functional direction within the framework of the Consent Decree. The Auditor Monitor, being an officer of the court, has responsibility to monitoring the Consent Decree to insure that the city fulfills all of the many requirements of the Consent Decree. That is his role. What I understand as to the role of the Auditor Monitor is that as long as the Police Commission and the Chief of Police who has a responsibility for administering that unit that is a part of the Police Department and does it in accordance with all of those goals and objectives there will be no problem. His job, in other words, is to monitor. Make sure that the city fulfills all of its obligations. So within a word, then when all of the meat is put on this matter, all of the procedures, all of the responsibilities this unit has, obviously there will be obligations to fulfill. And they will be defined and there will be time frames, due dates for things to be done. And as long as all of those obligations are fulfilled I should think then there would be no problems. If they are not fulfilled just as, these are my impressions, the Auditor Monitor has to, ever since he has been here, obviously has to get involved. And he does it through mediation, exhortation and, if necessary, by reporting to and making recommendations to Judge Peckham."

Commissioner Siggins: "Okay, well then can I just make this suggestion that this is what the Judge said he intended. Once we get the order, let's analyze it then maybe call the City Attorney, talk to him, and then also get in touch with the Auditor Monitor, Professor Trives just as soon as we can then we will know where we are going. It was just sprung on us this afternoon."

Commissioner Toler: "Chief, at present, how many applicants are there on the list?"

Chief Gain: "Sergeant?"

Sergeant Stevens: "2,119."

Commissioner Toler: "And from that list we are choosing 199?"

Commissioner Siggins: "No, there hasn't been anybody declared eligible as yet."

Chief Gain: "There is not a certified list you said, right?"

Sergeant Stevens: "No sir."

Chief Gain: "There is not a certified list. What was stated, again, there is not a certified list of any number, the judge stated this way as I understood him to say, 160 persons will be hired off the list and that is the tentative list that has been in existence for some time, on a 50-50 grading basis. And then, in addition, as I stated 30 women and 9 bi-lingual persons for a total of 199. And there was no discussion as to how long any list is. The point was, is that this number would be hired and then, obviously, there is decisions and defendant statements has to be as to what happens then, what happens next. All of this will be resolved before the court action is over. I felt the responsibility, even though this is not finalized, to report to the Commission as a status report. And emphasizing again, it is my understanding as the judge expressed, these are tentative decisions, and he discussed them, and he has not made a final decision as yet."

Commissioner Ciani: "Well, is there any discussion of having another test, or is it implicit that the judge would then agree subsequently to take an additional 100, 200, or 300 from this list?"

Chief Gain: "Well, what I stated to you, and there were a lot of unanswered questions, is what was stated in court."

Commissioner Ciani: "That's why I asked, was there any discussion of having another test in the near future?"

Chief Gain: "In connection with the Consent Decree Unit, there was also another statement made and perhaps the Sergeant captured this in his notes, because I was in discussion while this was going on. He did makes a statement with regard to the Consent Decree Unit. That certain action had to be taken within 45 days and what was that action Sergeant?"

Sergeant Stevens: "That would be to budget the money for this particular unit, the Consent Decree Unit."

Chief Gain: "Then that would be the Budget Money, for, of course, not police personnel, that would be a part of the unit, because there will be certain numbers of police personnel, but rather the non-police personnel that will comprise the Consent Decree Unit. And he stated that will be done within 45 days."

Commissioner Murphy: "What does this do to our first recruit class?"

Chief Gain: "Beyond that, if I may give you some of my impressions and opinions, now this is not what was said in court but here is what I concluded from the discussions in court today, is that these numbers of persons would be hired off of the list. The Consent Decree Unit would be established. In my opinion what this all means is that everything is going to be expedited, that we should be having a recruit school class in a very short period of time, that the Decree Unit will be staffed in a very short period of time and they will undertake examination development in regard to a new list. They will undertake recruitment, so that at last, in my opinion, we are going to move and start hiring policemen, training policemen, and getting the policemen we need. And this whole process is going to be expedited. Those are my impressions."

Commissioner Siggins: "Okay, did you want to say something Commissioner Sanchez?"

Commissioner Sanchez: "I have a number of questions that I wanted to ask you. The decision to count both the Oral and the Written was therefore eliminated."

Commissioner Siggins, Commissioner Ciani and Chief Gain: "No. 50-50."

Commissioner Sanchez: "Okay. So therefore, the judge is saying that we will hire 100 and in addition to 100, 30 will be women, and 0 will be bi-lingual for a total of 199."

Chief Gain: "Yes."

Commissioner Sanchez: "So therefore, in essence, we are really talking about, as an example, less than 5% of the women would be bi-lingual, whether they be Asian speaking, or Cantonese or Spanish, Tagalog, Samoan, and etc., correct? I mean possibly, basically, there is a possibility of having that if you are going to comply with this?"

Chief Gain: "You mean in regard to the nine?"

Commissioner Sanchez: "Right."

Chief Gain: "My recollection is this then, and I think the reason for the nine bi-lingual was that that also is a part of the Consent Decree matter where sometime ago we did hire, I think, then with Federal Funding, certain numbers of bi-lingual persons, with an understanding in conjunction with the Decree, that we would hire more bi-lingual persons. So this nine bi-lingual persons is in conforming with that understanding and that's why the nine. In it also, in terms of the Consent Decree, there was a matter of hiring x number of persons in addition to that specifically hiring 30 female officers, so this, to me, squares with the Consent Decree terms and understandings that have been extant all of the time."

Commissioner Sanchez: "Okay, secondly there is no cutoff at this point pertaining to the ranking and the candidates who are taking the test, correct? I mean, as an example, there are 2,119 who are on the list, that the list has not been scored or ranked, correct? Or is in the process of being ranked?"

Sergeant Stevens: "Yes, Civil Service will be making up the list shortly and they will rank everybody. But the ranking will take place... er all those 2,119 people will be ranked on a 50-50 basis, 50 for the Oral and 50 for the Audio Visual."

Commissioner Sanchez: "Okay, so one, the ranking is completed, then letters will go out to the 199, or 200, or whatever, asking them to participate in our class which will be what? November or....?"

Chief Gain: "November 13th is the target date for the first class."

Commissioner Siggins: "Ther won't be 199."

Chief Gain: "There will be 40. 40 will be hired. Our plan is when we start is, we will hire 40 at a time. So we will hire 40, and then 6 weeks or 8 weeks later, then 40 more, and then 6 or 8 weeks later, then 40 more. By about the 9th week you will have 3 classes of approximately 40 each. You see what else could happen here, and I am impressed that this may happen, is that we start the process of hiring 199 and get the recruitment going, the examination development going and we could have a

new certified eligibility list probably by May of next year. A new list. And we have a brand new list so that these 199, it would probably mean we would need a new eligibility list by about May 19th, and then the next recruit class ordinarily would start on June 23rd, so we can just keep up our schedule of recruit classes and be able to hire the 320 for the year when we commence schools, and then the 320 after that, and fill our ranks and meet the terms of the Consent Decree. In my judgment this will expedite the whole process."

Commissioner Ciani: "Are you saying in your judgment there will be another test and another list created by May?"

Chief Gain: "Yes, because I think that's the implication of all of this, yes. It wasn't that explicit today in court but those are my conclusions of what will happen."

Commissioner Ciani: "Well my concern is where are we going to get a test in such a short time that can be validated and that will be better than the test we have? That's a rhetorical question."

Chief Gain: "I don't think that I said that the next test itself, necessarily, has to be validated. A charge of that unit will be eventually to come up with a validated test. It may well be that they will use the same Audio Visual test that they used before. So I don't think that validation is necessarily going to take place right away."

Commissioner Ciani: "Well, if they use the same test then why do it again and not just use what we have got?"

Commissioner Siggins: "Well, I don't think we are going to settle much tonight but I can make a comment Chief, that anybody that calls you a 'lame duck Chief,' doesn't recognize the fact that you have a lot of work to do and you are doing it. And the connotation of 'lame duck' doesn't fit."

Chief Gain: "Yes, you can see we have to change that. I am an 'unlame duck Chief.' "

Commissioner Siggins: "Okay, keep up the good work Chief. And thank you Sergeant Stevens and we will be seeing more of you in that connection, and we will be seeing more of Professor Nathaniel Trives. Okay, may we have the next item?"

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO FUND
A POLICE DEPARTMENT DECENTRALIZED PERSONNEL UNIT.

Chief Gain: "Mr. President, members of the Commission, in light of what occurred today and what may happen, it could be an effect upon this, but I would request and recommend to the Commission that tonight that you act favorably upon this and we can determine in the next few days what's going to happen, and if we find it shouldn't be processed then we can reverse that action later. But, if the Commission did it tonight, then we find it should go through to get the money, then the action will have been taken. There will be no harm done."

Commissioner Murphy: "Why? Would this be severed from the present personnel unit?"

Chief Gain: "What will happen if we have a, in my judgment, a Consent Decree Unit, or as this is identified, a Decentralized Personnel Unit, our present staff in our Personnel Unit will become a part of this unit. We will only have one."

Commissioner Murphy: "I move for approval of this Supplemental Request."

Commissioner Toler: "Second."

Commissioner Siggins: "Okay, all in favor?"

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 575-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO FUND A
POLICE DEPARTMENT DECENTRALIZED PERSONNEL UNIT.

RESOLVED, that the Police Commission hereby approves the Request for a Supplemental Appropriation which amends the Annual Salary Ordinance to reflect the establishment and operation of a Police Department Decentralized Personnel Unit effective November 21, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 576-79

PUBLIC HEARING ON THE ISSUANCE OF A SECOND HAND
DEALER PERMIT, 935 MARIPOSA STREET, SAN FRANCISCO,
(AUTO ACCESSORIES)

WHEREAS, the Police Commission on September 26, 1979, heard the application of Harvey M. Good, dba "Courtesy Auto Wreckers," for the issuance of a Second Hand Dealer Permit at 935 Mariposa Street in the City and County of San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and

WHEREAS, written recommendations of approval were submitted from Southeast Police Station, the Department's Auto Section and other appropriate City Agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Section 1237 of the San Francisco Municipal Code (Police Code) does hereby grant to Harvey M. Good, dba "Courtesy Auto Wreckers," a Second Hand Dealer's Permit for the purpose of buying, selling, exchanging, storing or dealing in used or second hand automobile, motor vehicles, motorcycles, equipment, storage batteries and parts of automobiles or automobile accessories at 935 Mariposa Street in the City and County of San Francisco.

AYES: Commissioners Clani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 577-79

LIEUTENANT RICHARD WILLETT, TRAFFIC BUREAU, HIT
AND RUN DETAIL

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Lieutenant Richard Willett, Traffic Bureau, Hit and Run Detail, as follows:

SPECIFICATION NO. 1

Proposing a Compromise Between a Person Suspected of a Crime and the Victim, with a View of Permitting the Suspect to Escape

the Penalties Provided by Law.
(Violation of Section 2.89 of the
Rules and Procedures of the San
Francisco Police Department)

SPECIFICATION NO. 2

Conduct Reflecting Discredit Upon
the Department. (Violation of Sec-
tion 2.13 of the Rules and Procedures
of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failure to Truthfully Answer Questions
Propounded. (Violation of Section 2.49
of the Rules and Procedures of the San
Francisco Police Department.)

SPECIFICATION NO. 4

Conduct Reflecting Discredit Upon the
Department. (Violation of Section 2.13
of the Rules and Procedures of the San
Francisco Police Department.)

SPECIFICATION NO. 5

Conduct Reflecting Discredit Upon the
Department. (Violation of Section 2.13
of the Rules and Procedures of the San
Francisco Police Department.)

SPECIFICATION NO. 6

Failure to Truthfully Answer Questions
Propounded. (Violation of Section 2.49
of the Rules and Procedures of the San
Francisco Police Department.)

SPECIFICATION NO. 7

Conduct Reflecting Discredit Upon the
Department. (Violation of Section 2.13
of the Rules and Procedures of the San
Francisco Police Department.)

SPECIFICATION NO. 8

Failure to Truthfully Answer Questions
Propounded. (Violation of Section 2.49
of the Rules and Procedures of the San
Francisco Police Department.)

SPECIFICATION NO. 9

Proposing a Compromise Between a Person Suspected of a Crime and the Victim, with a View of Permitting the Suspect to Escape the Penalties Provided by Law. (Violation of Section 2.89 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 10

Conduct Reflecting Discredit Upon the Police Department. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 11

Failure to Truthfully Answer Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the setting of the date for the hearing before the Police Commission on charges filed against Lieutenant Richard Willett, Traffic Bureau, Hit and Run Detail, be, and the same is hereby set for Wednesday, October 3, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

PUBLIC HEARING REGARDING LAW ENFORCEMENT IN THE MISSION POLICE DISTRICT.

Leonel Uriarte Monterey: "My name is Leonel Uriarte Monterey and I am President of the Mexican American Political Association, San Francisco Chapter. We have some presentations and I will ask the Commission to hear from some of the young people who have attended this meeting. We requested this meeting because there is a serious problem as far as police community relations in the Mission District. The District concept has proven to be a failure despite the Chief's statements to the contrary, and I would like to quote some of what the Chief has to say about that. He says 'that effective police community relations should permeate the entire police department. That each police person, regardless of rank, should effect good police community relations within the context of his position and that

the responsibility should not be regulated to a special unit only.' The fact of the matter is since the district concept has been permitted, the community relations has deteriorated to the point that it is now. Also, we have the problem that a police problem has been politicized to the point that there is a danger of an ethnic confrontation and I would hope that this Police Commission address this issue. That clear guidelines be set for police officers as far as their treatment to young people in the Mission, as far as stopping people, as far as the low riders and as far as the treatment of the individual residents in the Mission, and I submit to you since the MAPA Board had a special meeting to deal with the Community Relations problem about 3 weeks ago, we heard testimony of 40 people who had complaints. Members of the Executive Board did walk up and down the Mission, patrolling the Mission, they did verify some of the complaints and they are valid complaints as far as the treatment by the police of the local residents and the people that come to the Commission. I would ask the Commission at this point to look into the possibility of taking a vigorous campaign as far as making sure that the police officers understand their role. That they understand that they cannot just stop individuals because they might look suspicious, or what have you that there must be clear guidelines as far as that, as far as stopping cars, as far as running checks on individuals, as far as charging young people with a drunken offense, taking them to the stations, holding them for 4 to 5 hours and then releasing them. That amounts to harassment. I think it is very important that you take into consideration the testimony that is going to be presented to you and act properly. I would also urge you to move to implement them or to put into effect the old community relations where trained individuals can go, on an ongoing basis to the various groups in the community and talk to them and continue the kind of community relations that existed in the past. It was unfortunate that the old community relations, at the time we had a law suit that was a divisive thing even among the police officers, Officers for Justice, and the regular POA against the Police Community Relations Unit. I think that the old Police Community Relations Unit did a good job despite the criticisms labelled against it, and I think that something has to be done in a positive order. We do not condone criminals, we do not condone people breaking the law, but on the other hand we don't think it is proper to deal with it by sending the Tac Squad, increasing the numbers of police during the weekends, officers that are not familiar with individuals that come to the district and, therefore, they do not treat individuals properly, that they talk down to people and sometimes act in a very unofficerlike manner. I would pass on to the next speaker at this time."

The following persons then spoke and made various

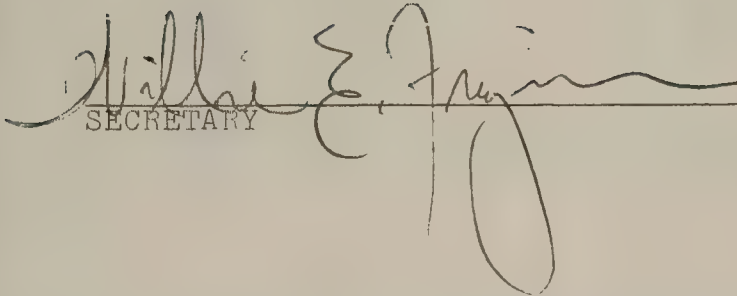
recommendations to alleviate some of the alleged problems they felt they were having in the Mission District.

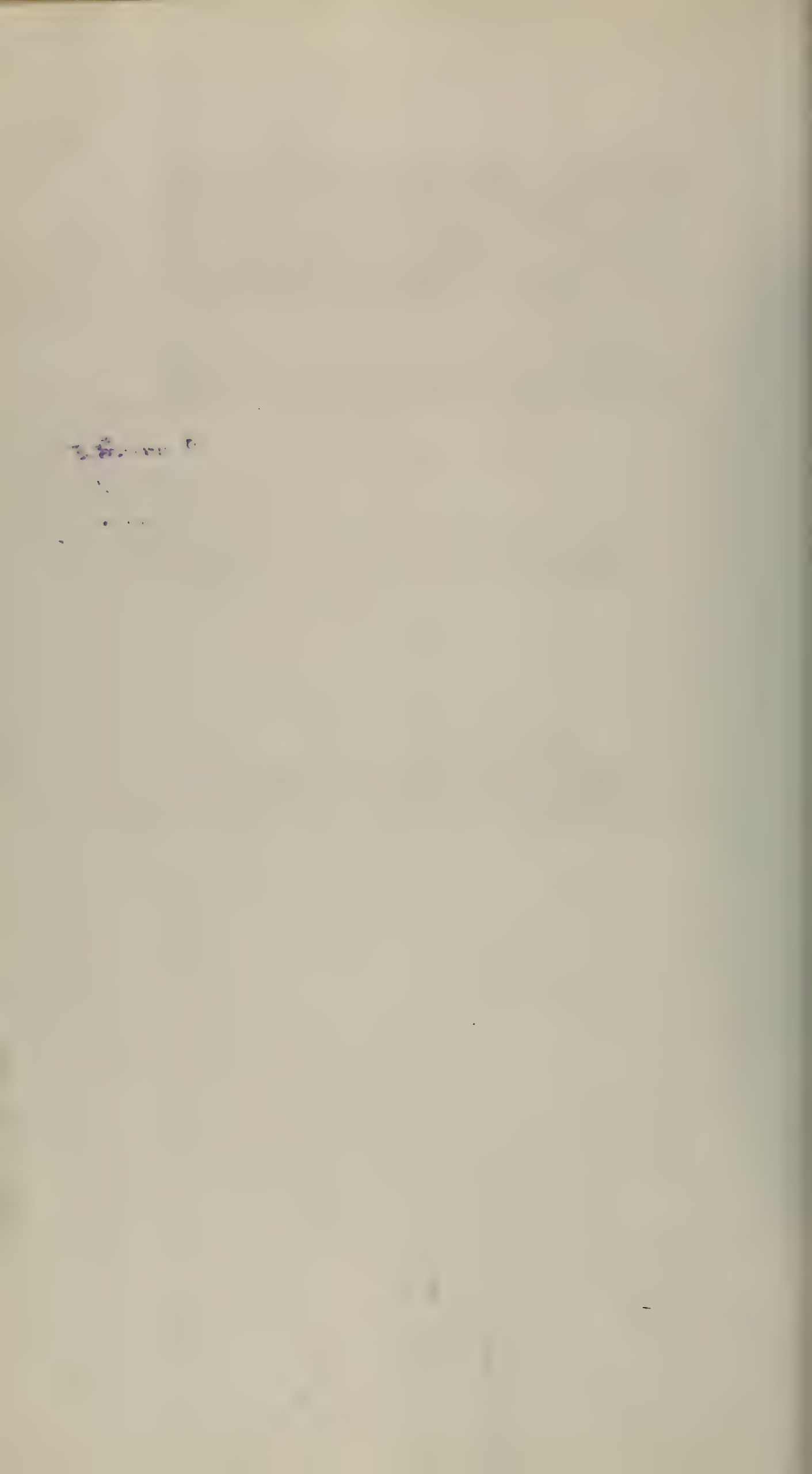
1. Albert Williams
2. Supervisor Carol Ruth Silver
3. Robert Hernandez
4. Romeno Garcia
5. Eddy Alarcon
6. Johnny Reyes - The Lords
7. Tony Lama
8. Rudy Lugaro
9. Tom Miggins
10. Andy Sanchez
11. Roger Campos
12. Debra Cruz
13. Squid
14. Fior Crane
15. Luisa Ezquerero-Returned-submitted written documents.
16. James Cohen
17. Julio Zamacoma
18. Pedro Ortiz
19. Javior Reyes
20. Judith LaCourse
21. Angie Alarcon
22. Comm. Ayala - Community College Board
23. Ena Spackman
24. Al Williams
25. Sanchez Alvaro
26. Delma Chuchivan
27. Glen Potter
28. Luis Munoz

At the end of the testimony Commissioner Murph-
pointed out that steps were already being taken
to re-institute the Community Relations Function
of the department and that meetings with the Park
and Recreation Department and others were being
organized to see what recreational facilities
could be opened for the youth of the city to cut
down on the juvenile delinquency occurring in the
city.

The Commission then took the matter under sub-
mission and stated they would implement those
recommendations submitted tonight wherever possible.

The Commission then adjourned its meeting at
2046 hours.


SECRETARY



79
27 SEPTEMBER 1979

EXECUTIVE SESSION

Minutes
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Thursday, September 27, 1979 at 1700 hours, in Executive Session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

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Commissioner Siggins presiding.

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CONTINUATION OF THE HEARING OF POLICE OFFICER
MICHAEL KELLY, VICE CRIMES DIVISION

The matter of the hearing of Police Officer Michael Kelly, Vice Crimes Division, was called, it having been continued from the meeting of September 10, 1979.

Police Officer Michael Kelly appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witness appeared for the Prosecution, was sworn and testified:

Erlinda Symaco
497 Joost Avenue
San Francisco, California

Erlinda Symaco was represented by Mary Lyn Hedges, Attorney at Law, who was present during her testimony.

The following exhibits were entered into Evidence by the Prosecution:

Exhibit "J" - Two color photographs of Erlinda Symaco. Top photograph of left leg. Bottom photograph of upper torso depicting discoloration of

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right arm between shoulder
and elbow.

Exhibit "K" - Two color photographs of
Erlinda Symaco. Top photo-
graph of Erlinda Symaco dis-
playing head, neck and shoul-
der. Head reclining on pil-
lows. Bottom photograph of
Erlinda Symaco, head, neck,
and shoulder in upright posi-
tion.

The Commission then adjourned at 1912
hours, and the matter was continued to Monday,
October 8, 1979, at 1700 hours, in Room 551, Hall
of Justice.

Recess taken during the
hearing of Police Officer
Michael Kelly:

1824 hours to 1831 hours.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Richard G. Hill, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER
DANIEL MARR, BUREAU OF COMMUNICATIONS

The matter of the hearing of Police
Officer Daniel Marr, Bureau of Communications,
was called, it having been continued from the
meeting of September 10, 1979.

Police Officer Daniel Marr appeared
in person and was represented by Mr. Stephen
Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law,
appeared as the Prosecutor for the Police De-
partment.

The following-named witness appeared
for the Prosecution, was sworn and testified:

Erlinda Symaco
407 Joost Avenue
San Francisco, California

Erlinda Symaco was represented by Mary Lyn Hedges, Attorney at Law, who was present during her testimony.

The following exhibits were entered into Evidence by the Prosecution:

Exhibit "J" - Two color photographs of Erlinda Symaco. Top photograph of left leg. Bottom photograph of upper torso depicting discoloration of right arm between shoulder and elbow.

Exhibit "K" - Two color photographs of Erlinda Symaco. Top photograph of Erlinda Symaco displaying head, neck, and shoulder. Head reclining on pillows. Bottom photograph of Erlinda Symaco, head, neck, and shoulder in upright position.

The Commission then adjourned at 1912 hours, and the matter was continued to Monday, October 8, 1979 at 1700 hours, in Room 551, Hall of Justice.

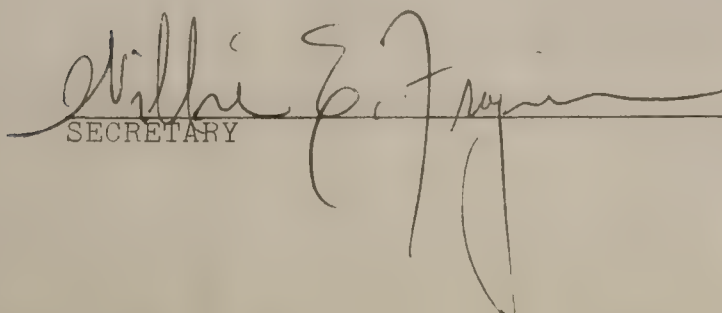
Recess taken during the hearing of Police Officer Daniel Marr:

1824 hours to 1831 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Richard G. Hill, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Higgins

The Commission then adjourned its meeting at 1912 hours.


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3 OCTOBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 3, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved.

150 OTIS STREET - DEPT. OF SOCIAL SERVICES

- a) At 150 Otis Street, install a 44' Blue zone, extending from 9' to 53' south of north building line.

1360 MISSION STREET - DEPT. OF SOCIAL SERVICES

- a) At 1360 Mission Street, install a 22' Blue zone, extending from 12' to 34' east of west property line.
- b) Remove meter #MIS 1330.

APPROXIMATELY 169 OTIS STREET - DEPT. OF SOCIAL SERVICES

- a) At approximately 169 Otis Street, install a 22' Blue zone, extending from 110' to 132' north of 13th Street.

APPROXIMATELY 1690 MISSION STREET -DEPT. OF SOCIAL SERVICES

- a) At approximately 1690 Mission Street, install a 22' Blue zone, extending from 10' to 32' south of north property line.
- b) Remove meter #MIS 1690.

1850

1851

1852

3707 SACRAMENTO STREET - PENINOV CLEANERS

- a) At 3707 Sacramento Street, install a 22' green zone, extending from west property line 22' east of same.

399 O'FARRELL STREET - S.F.P.D.

- a) At 399 O'Farrell Street, revoke existing 55' white zone, extending from 50' to 105' east of Taylor Street.

325-327 DIVISADERO STREET - S.F.P.D.

- a) At 325-327 Divisadero Street, revoke existing 44' yellow zone, extending from 25' to 69' north of south line.
- b) Install meters.

438 O' FARRELL STREET - S.F.P.D.

- a) At 438 O'Farrell Street, revoke existing 22' white zone, extending from 4' to 26' east of Shannon Street.

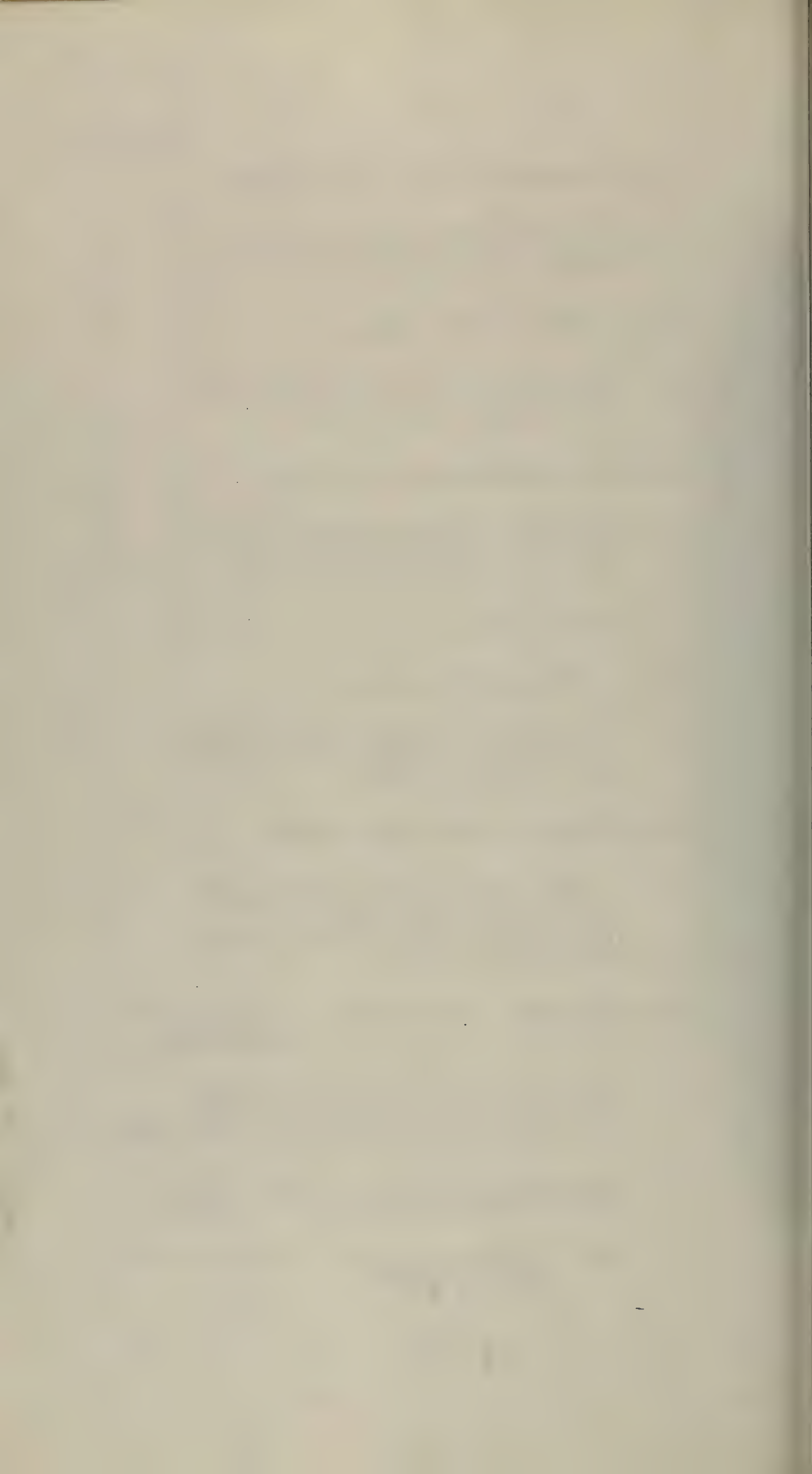
318 DIVISADERO STREET - NG'S CLEANERS

- a) At 318 Divisadero Street, revoke existing 24' yellow zone, extending from 63' to 87' north of Page Street.
(Needs green zone for customer service - DPW for green meters.)

4340-3rd STREET - MR.ED'S LIQUORS - PARTIAL GRANT
AND DENIAL

- a) At 4340-3rd Street, install a 90' green zone, extending from Kirkwood property line 4347-3rd Street, 90' south of same. DENIED
- b) Recommended by S.F.P.D. - 2 zones - one for each store for a total of 44'. GRANTED.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins



REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 145 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 589-79

VALERIE FRUGOLI AND HIS ATTORNEY

RESOLVED, that upon the recommendation of the City Attorney, judgment has been awarded to Valerie Frugoli, in Superior Court Action No. 693-622 in the sum of \$5,628.00, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: April 4, 1975

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 578-79

EDNA M. MUSE AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Edna M. Muse against the City and County of San Francisco in the sum of \$1,350.00 in Superior Court Action No. 680-737, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 1, 1974

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 579-79

MANUEL CARLOS MORDIDO, JR.

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Manuel Carlos Mordido, Jr., against the City and County of San Francisco in the sum of \$28.74 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 19, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 580-79

TRAVEL EXPENSE VOUCHER - APPROVED

RESOLVED, that the Travel Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Daniel J. Murphy)	\$331.00	(Law Enforcement
Intelligence Unit	)	(Intelligence Train-
		(ing Conference, at
		(Anaheim, California,
		(from September 18,
		(1979 to September
		(21, 1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 581-79

TRAVEL EXPENSE VOUCHER - APPROVED

RESOLVED, that the Travel Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved;

Lieutenant Victor Macia) \$275.00 (Middle Management
Investigations - Youth) (Development Train-
Services) (ing Seminar, Dallas,
(Texas, from September
(10, 1979 to Septem-
(ber 14, 1979, inclu-
(sive.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 582-79

TRAVEL EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Travel Expense
Vouchers submitted by Sergeant Richard R. Racine,
Personnel and Training, for expenses incurred for
attendance of 118 trainees at a Supervisory Train-
ing Course, be, and the same is hereby approved:

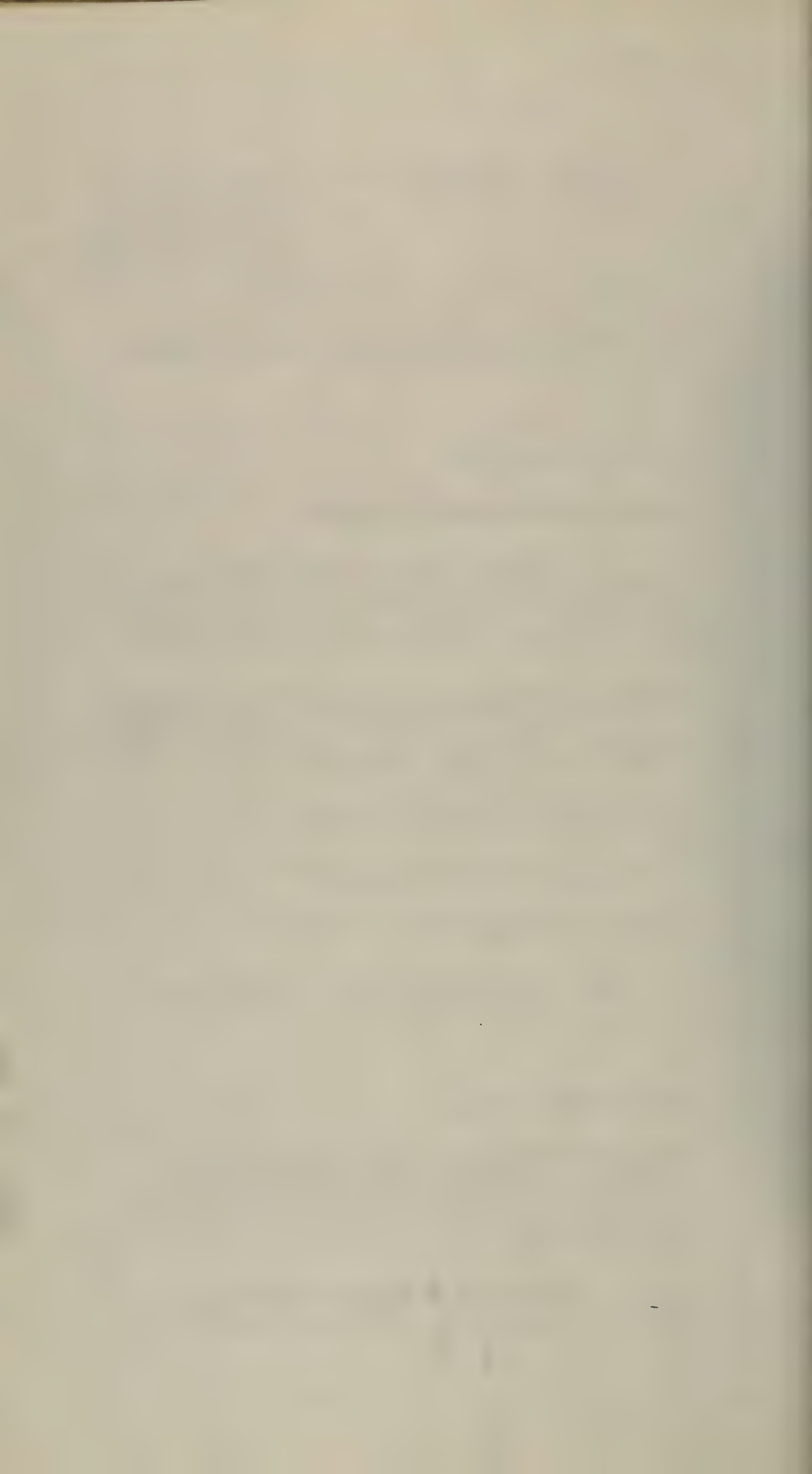
Supervisory Training Course, - \$816.00(Supervisory
24 Trainees (2/19/79 to 3/2/79) (Training Course,
(City College
Supervisory Training Course, - \$850.00(of San Francisco.
25 Trainees (3/19/79 to 3/30/79)
Supervisory Training Course - \$816.00
24 Trainees (4/10/79 to 5/11/79)
Supervisory Training Course - \$741.00
21 Trainees (5/21/79 to 6/1/79)
Supervisory Training Course - \$408.00
(8/20/79 to 8/31/79)

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 583-79

AUTHORIZING ATTENDANCE OF POLICE OFFICERS SAMUEL
OSBORNE AND GEORGE HOOD, VICE CRIMES-NARCOTICS,
AT A NARCOTICS INVESTIGATORS COURSE AT SACRAMENTO,
CALIFORNIA, FROM OCTOBER 14, 1979 TO OCTOBER 26,
1979, INCLUSIVE.

RESOLVED, that the recommendation of
the Chief of Police that Police Officers Samuel
Osborne and George Hood, Vice Crimes-Narcotics,



be detailed to attend a Narcotics Investigators Course at Sacramento, California, from October 14, 1979 to October 26, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by Officers Osborne and Hood, Vice Crimes-Narcotics, in a sum not to exceed \$528.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 584-79

AUTHORIZING ATTENDANCE OF LIEUTENANTS HARRY MILLER, NORTHERN STATION, STEPHEN SPELMAN, RICHMOND STATION, WALTER VAN DEHEY, SUPPORT SERVICES, EDWARD MCDONOUGH, SOUTHEAST STATION, AT A MIDDLE MANAGEMENT TRAINING COURSE AT WATSONVILLE, CALIFORNIA, FROM OCTOBER 13, 1979 TO OCTOBER 26, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenants Harry Miller, Stephen Spelman, Walter Van Dehey, and Edward McDonough, be detailed to attend a Middle Management Training Course at Watsonville, California, from October 13, 1979 to October 26, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenants Harry Miller, Stepehn Spelman, Walter Van Dehey, and Edward McDonough, in a sum not to exceed \$888 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 585-79

RECOMMENDATION OF THE CHIEF OF POLICE THAT 140 PERSONNEL BE GRANTED PERMISSION TO ATTEND A FIELD TRAINING OFFICER PROGRAM TO BE CONDUCTED AT FOUR FIELD TRAINING OFFICER SEMINARS. EACH COURSE TO BE OF 40 HOURS DURATION WITH 35 TO ATTEND EACH COURSE, ON THE FOLLOWING DATES: OCTOBER 14, 1979 TO OCTOBER 19,

1979, OCTOBER 21, 1979 TO OCTOBER 26, 1979,
NOVEMBER 4, 1979 TO NOVEMBER 9, 1979, AND
NOVEMBER 26, 1979 TO NOVEMBER 30, 1979.

RESOLVED, that the recommendation of the Chief of Police that 140 personnel be detailed to attend a Field Training Officer Program to be conducted at four Field Training Officer Seminars. Each course to be of 40 hours duration with 35 to attend each course, on the following dates: October 14, 1979 to October 19, 1979, October 21, 1979 to October 26, 1979, November 4, 1979 to November 9, 1979, and November 26, 1979 to November 30, 1979, be, and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by 140 personnel to attend a Field Training Officer Program, in a sum not to exceed \$7,500.00 for each seminar, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

The Commissioners, having received, amended and returned copies of the minutes of the meetings of August 15, 1979, August 22, 1979, and August 29, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

The Chief stated to the Commission that he had brought staff members, Deputy Chief Mullen and Commander Seghy, to give a status report on the numbers of traffic accidents compared this year with last year. Also, the numbers of traffic citations issued.

Commander Seghy addressed the Commission and stated that speeding violations and traffic signal violations were as follows: 7376 speeding violations and 8463 traffic signal violations. He further stated that the radar program has been a great success and he expects to expand that program as more streets are surveyed and additional equipment is obtained. The overall accident picture has remained relatively stable over the last several years with a slight decline in personal injury accidents, which present the most valuable picture of what is going on in the accident field.

Commissioner Murphy inquired as to the reason why that when police officers respond to the scene of an accident that no traffic citations are issued.

Commander Seghy went on to explain that it has been required that an officer receive at least 40 hours training before that officer be allowed to issue a citation based on his investigation of the accident. This does not preclude the fact that the officer will make the investigation, but without said training he would not issue a citation at the scene.

Chief Gain pointed out to the Commission that after the investigation has been completed that the trained investigator in the bureau could issue a citation.

Commander Seghy went on to explain that Peace Officers Standards and Training has changed the training regulation and that the number of hours (40) were now excluded and the new wording simply stated that the officer has received adequate training in order to write citations at the time of the investigation of the accident.

Commissioner Toler was concerned as to the number of officers assigned to the solo motorcycles.

Commander Seghy went on to explain that in the budget the department has been allotted 45 officers, but at the present time we have 39 officers assigned to the solo motorcycles and that eight men are off with disability injuries leaving the department with thirty-one officers now working the solo motorcycles.

The Commander was asked if he would like to replace these officers.

Chief Gain went on to explain that we are now 208 officers short in the department and we expect a continued shortage of officers, particularly in the patrol division, until next year when new people are trained in recruit school.

The Chief stated that in due time officers would be replaced in the traffic units. The Chief went on to report that the officers in patrol are to write the majority of citations, that there has been a decrease in the patrol units writing these citations. Figures show that in a period between January to September there has been a reduction of 4000 traffic citations. Deputy Chief Mullen and Commander Seghy are to encourage and motivate everyone to write more citations.

Chief Gain stated that there are probably many reasons why the amount of citations have dropped but that the Captains of each unit would be responsible to motivate, organize and direct their officers to write more citations.

Commissioner Siggins stated that the department could give a Christmas present to the citizens of San Francisco by writing these 4000 traffic citations by Christmas.

Deputy Chief Mullen responded, "you shall have them."

The item of the lockers at the new academy and training facility located at the Fremont School was discussed before the Commission. Plans are underway, according to Captain Shannon, to transfer the lockers from the Hall of Justice to the Fremont School and exchange them with the lockers from the school. The need being that the small lockers that are at the school are not adequate to house the equipment that the recruit officer needs. This will be done at a minimum cost as staff from the academy will make the exchange and installation of the lockers.

Commissioner Sanchez expressed concern that the gym now located at the Hall of Justice was not kept open for the neighborhood group of children for use on Saturday mornings.

Captain Shannon stated that that was true but the same children are now going out to the Fremont School and even more from that area are expected to use the facility there.

Chief Gain reported that this will be worked out and that he has expressed an idea where an off duty officer using the gym, such officer that is trained in physical training, would supervise the gym. The Chief also stated that senior citizen groups have volunteered to assist in this program and that that is being explored.

The Chief stated that he has discussed this item with Bob Barry, President of the POA, and that that group would provide the equipment for use in the gym. However, the POA wants to make sure that there is adequate supervision before they put out the money for the equipment.

Commissioner Murphy asked a question regarding an article she had read in the San Francisco Examiner, on October, the second, regarding the Consent Decree.



Chief Gain went on to clarify that the department will be hiring the 199 officers in conformance with that Decree and that the department will eventually be brought up to 1971 officers.

Commissioner Murphy suggested that we should investigate the idea of a continual testing program for the department.

The Chief responded that nothing will block this in time.

Commissioner Sanchez expressed concern about the present school teachers strike.

The Chief responded that he and Dr. Alioto were in communication, and that virtually all the schools have officers assigned to them. Thus far, no substantial problems have been reported to the Chief.

Commissioner Siggins stated that he was glad that the Chief had addressed the traffic problem because he had heard that the Chief would be called before the Police, Fire and Safety Committee of the Board of Supervisors on October 11th and asked some of those questions.

The Chief responded that he looked forward to it.

RESOLUTION NO. 586-79

REQUEST OF JOSE S. CORTEZ FOR PERMISSION TO INCREASE HIS JITNEY BUS PASSENGER LOAD FROM TWELVE (12) PASSENGERS TO FIFTEEN (15) PASSENGERS - DISAPPROVED.

WHEREAS, Jose S. Cortez requested by letter a hearing before the Police Commission for permission to increase his passenger load from twelve (12) passengers to fifteen (15) passengers; and

WHEREAS, the Police Commission heard the matter at its meeting of October 3, 1979; and

WHEREAS, an objection was received from Police Officer Michael Ferrier, Taxi Detail, Traffic Bureau, who after examining the van found that it did not have proper seating for fifteen passengers; and



WHEREAS, the Police Commission after listening to testimony from all parties, adopted the following resolution:

RESOLVED, that it is the order of the Police Commission that the request of Jose S. Cortez for permission to increase his jitney bus passenger load from twelve (12) passengers to fifteen (15) passengers, be, and the same is hereby disapproved; and be it further

RESOLVED, that at such time as Jose S. Cortez equips his van with proper seating for fifteen passengers, and said proper seating is approved by the Taxi Detail, Traffic Bureau, he may return to the Police Commission for further consideration of this request.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 587-79

SETTING OF THE DATE FOR THE HEARING OF LIEUTENANT RICHARD WILLETT, TRAFFIC BUREAU, HIT AND RUN DETAIL

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Lieutenant Richard Willett, Traffic Bureau, Hit and Run Detail, was called; and

WHEREAS, it was requested by the Police Commission that Lieutenant Willett's disciplinary charges be set for October 17, 1979; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Lieutenant Richard Willett is set for Wednesday, October 17, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER VALCOUR L. EUGENE

The hearing relative to the termination of Recruit Officer Valcour L. Eugene was called, it having been set for this date.



Recruit Officer Eugene, having been notified well in advance of the hearing, did not appear, nor did he send a representative in his behalf.

Mr. Lawrence Wilson, Attorney at Law, representing the Police Department, requested the Commission's approval of Chief of Police Charles R. Gain's Termination Order of Valcour L. Eugene.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 592-79

DECISION - HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER VALCOUR L. EUGENE.

WHEREAS, on October 12, 1978, Chief of Police Charles R. Gain, terminated Valcour L. Eugene as a Police Officer of the San Francisco Police Department for failing to meet the academic standards of the San Francisco Police Academy as contained in Item 3 (on page 37) of Recruit School Operations Manual in that he failed both Test I and the retest given after remedial instructions; and

WHEREAS, it was discovered that because Recruit Officer Valcour L. Eugene was under a temporary appointment and being paid with other than Ad Valorem funds, the Chief's Termination Order could not be final until approved by the Police Commission; and

WHEREAS, a hearing on said termination of Recruit Officer Valcour L. Eugene was heard before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco on August 8, 1979, August 15, 1979, September 12, 1979, and on Wednesday, October 3, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the Chief's Termination Order made and imposed upon Recruit Officer Valcour L. Eugene is justified and proper; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's Termination

Order made and imposed on Recruit Officer Valcour L. Eugene, be, and the same hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Clani, Murphy, Sanchez, Toler, Siggins

HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER DONALD JONES.

The hearing relative to the termination of Recruit Officer Donald Jones was called, it having been set for this date.

Recruit Officer Jones having been notified well in advance of the hearing, did not appear, nor did he send a representative in his behalf.

Mr. Lawrence Wilson, Attorney at Law, representing the Police Department, requested the Commission's approval of Chief of Police Charles R. Gain's Termination Order of Recruit Officer Donald Jones.

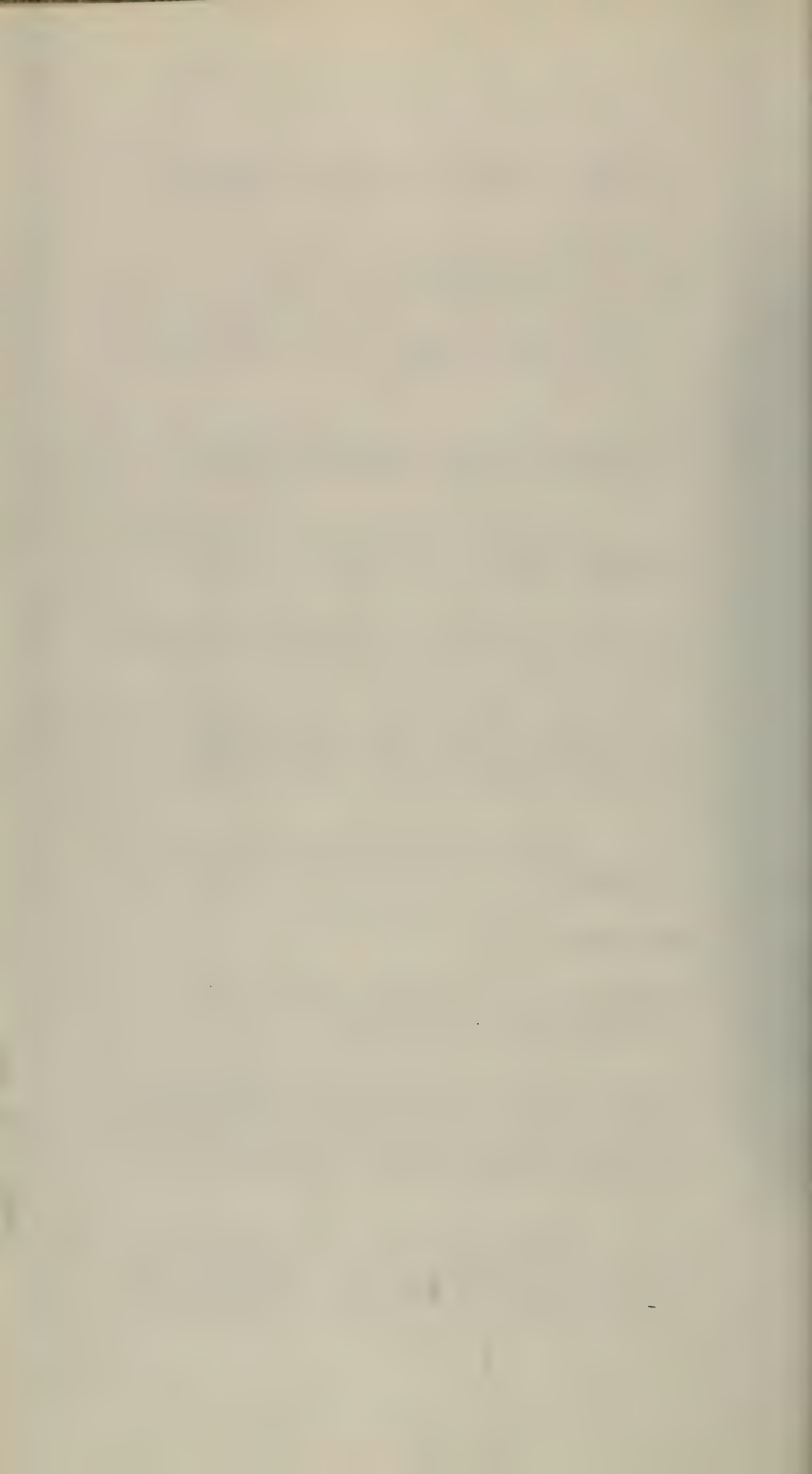
The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 593-79

DECISION - HEARING RELATIVE TO THE TERMINATION OF RECRUIT OFFICER DONALD JONES.

WHEREAS, on August 23, 1978, Chief of Police Charles R. Gain terminated Recruit Officer Donald Jones as a Police Officer of the San Francisco Police Department for failing to achieve the minimum acceptable standard for field performance for a person engaged in patrol duties in the San Francisco Police Department; and

WHEREAS, it was discovered that because Recruit Officer Donald Jones was under a temporary appointment and being paid with other than Ad Valorem funds, the Chief's Termination Order could not be final until approved by the Police Commission; and



WHEREAS, a hearing on said termination of Recruit Officer Donald Jones was heard before the Police Commission in accordance with Section 3.501 of the Charter of the City and County of San Francisco on Wednesday, August 15, 1979, September 5, 1979, September 12, 1979, and on Wednesday, October 3, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the Chief's Termination Order made and imposed upon Recruit Officer Donald Jones is justified and proper; therefore be it

RESOLVED, that it is the order of the Police Commission that the Chief's Termination Order made and imposed on Recruit Officer Donald Jones, be, and the same hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 590-79

HEARING OF POLICE OFFICER EDDY L. CASTIGLIONI,
PERSONNEL AND TRAINING.

The hearing of Police Officer Eddy L. Castiglioni, Personnel and Training, was called, it having been set for this date. Officer Eddy L. Castiglioni was charged with violating the Rules and Procedures, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace, Prevent Crime, and Enforce Criminal Laws While Off Duty, (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Breach of the Peace, Neglect of Duty, Misconduct, Conduct Tending

to Subvert the Good Order, Efficiency and Discipline of the Department, Conduct Prejudicial to the Efficiency and Discipline of the Department, and Conduct Reflecting Discredit on the Department and Member Thereof. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

on a properly verified complaint by Charles R. Gain, Chief of Police of the San Francisco Police Department.

Police Officer Eddy L. Castiglioni appeared in person and was represented by Sergeant Michael Hebel, Attorney at Law.

Mr. Robert Byrne, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Police Officer Eddy L. Castiglioni, entered through his attorney, a plea of "guilty" to both specifications.

An opening statement was made by Sergeant Michael Hebel, Defense Attorney.

The following-named witnesses were called by the Defense, sworn and testified:

Police Officer Eddy L. Castiglioni
Personnel and Training

Lieutenant William Koenig
Southern Police Station

Sergeant James Sullivan
Southeast Police Station

Captain Joseph M. Flynn
Taraval Police Station

Mrs. Marsha Castiglioni
Wife, Officer Eddy L. Castiglioni

Mr. Eddy Castiglioni, Sr.
Father, Officer Eddy L. Castiglioni

The following-named witness was called
by the Prosecution, sworn and testified:

Police Officer John Devine
Special Assistant to the Chief of Police

The following Exhibits were entered into
Evidence by the Defense:

Exhibit A - Reporter's Partial Transcript
of Court Proceedings, dated
August 31, 1979, in Superior
Court, Marin County, Hon. Joseph
G. Wilson, Judge, People of
State of California vs. Eddy
L. Castiglioni, Defendant.

Exhibit B - Confidential report to Chief
of Police from Officer John
Devine, re: Alcoholic Abuse
Program.

The Commission then adjourned at 2118
hours, and the matter was continued to Monday, Octo-
ber 8, 1979 at 1600 hours, in Room 551, Hall of Justice.

Recess taken during the hear-
ing of Police Officer Eddy L.
Castiglioni:

2005 hours to 2018 hours.

(The entire proceedings were taken
in shorthand form by Hearing Reporter
Dorsey A. McTaggart, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 591-79

HEARING OF POLICE OFFICER BRUCE BUSHNER, BUREAU OF
COMMUNICATIONS

WHEREAS, the hearing of Police Officer
Bruce Bushner, Bureau of Communications, was called,
it having been set for this date; and

WHEREAS, Commissioner Siggins requested that Officer Bushner's disciplinary hearing be postponed and re-scheduled for October 8, 1979, because of the extensive time utilized in disposing of previous agenda items; and

WHEREAS, Sergeant Michael Hebel, attorney for Officer Bushner concurred with Commissioner Siggins' request that the disciplinary hearing be postponed until October 8, 1979; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Bruce Bushner, Bureau of Communications, is set for Monday, October 8, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REQUESTING APPROVAL ON PROPOSED GENERAL ORDER ON PHYSICAL FITNESS AND AGILITY STANDARDS - CONTINUED TO OCTOBER 17, 1979 FOR PUBLIC HEARING.

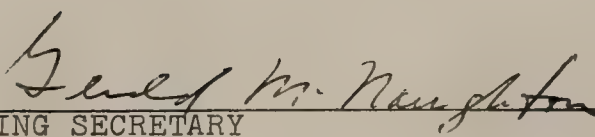
RESOLUTION NO. 588-79

ACCEPTANCE OF THE CONSENT DECREE UNIT DATED OCTOBER 1, 1979, IN THE MATTER OF THE OFFICERS FOR JUSTICE, ET AL., VS. CITY AND COUNTY OF SAN FRANCISCO.

RESOLVED, that the Police Commission hereby acknowledged receipt of the Order establishing the Consent Decree Unit dated October 1, 1979, in the matter of the Officers for Justice, et al., vs. City and County of San Francisco, and consolidated case," and will implement the Order as it relates to the Commission and the Police Department.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission then adjourned its meeting at 2240 hours.


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8 OCTOBER 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, October 8, 1979 at 1600 hours, in Special Session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

CONTINUATION OF THE HEARING OF POLICE OFFICER
BRUCE BUSHNER-COMMUNICATIONS DIVISION

The hearing of Police Officer Bruce Bushner, Communications Division, was called, it having been continued from the meeting of August 29, 1979, to this date.

Police Officer Bruce Bushner appeared in person and was represented by Sergeant Michael S. Hebel, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

After further discussion, the Commission determined that Officer Bushner shall undergo a current psychological and physical examination, and when said evaluation is completed, the results will be presented to the Commission.

After obtaining Sergeant Hebel and Officer Bushner's concurrence, the hearing was continued off calendar.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

ABSENT: Commissioner Ciani

CONTINUATION OF THE HEARING OF POLICE OFFICER
EDDY L. CASTIGLIONI, PERSONNEL AND TRAINING.

The matter of the hearing of Police Officer Eddy L. Castiglioni, Personnel and Training, was called, it having been continued from the meeting of October 3, 1979.

Police Officer Eddy L. Castiglioni appeared in person and was represented by Sergeant Michael S. Hebel, Attorney at Law.

The following exhibit was entered into Evidence by the Defense:

Exhibit C - Letter dated October 8, 1979, addressed to Sergeant Gerald McNaughton, Acting Secretary, Police Commission, from Michael S. Hebel, attaching copy of Pacific Telephone Multi message billing for the residential telephone of Officer Eddy L. Castiglioni, for the months of August and September, 1979.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 608-79

DECISION - HEARING OF POLICE OFFICER EDDY L.
CASTIGLIONI, PERSONNEL AND TRAINING.

WHEREAS, on March 9, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Eddy L. Castiglioni, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein the accused was, and now is, a police officer employed by the City and County of San Francisco. On March 5, 1979 the accused's peace officer status was suspended by the Chief of Police;

- b) On March 4, 1979, at approximately 4:21 a.m., the accused, while off duty, entered the Paradise Video Store, 5627 "D" Paradise Drive, Corte Madera, California, during a time when said premises were unoccupied and not open to business, and without the consent of the owners thereof:
- c) The accused removed from said premises two video tape recorders and several video tape cassettes which were the property of said store, and placed them in his vehicle;
- d) Thereafter, the accused was apprehended by the Corte Madera Police Department;
- e) By reason of said conduct, the accused violated Section 2.03 of the Rules and Procedures of the San Francisco Police Department which states:

"2.03 - Shall at all times while on duty preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways. While off duty, a member, shall take all reasonable steps consistent with Rule 7.12 to preserve the peace, prevent crime, detect and arrest offenders and enforce all criminal laws, penal ordinances and all laws and ordinances regulating vehicular and pedestrian traffic and travel upon public highways."

SPECIFICATION NO. 2

- a) Each and every allegation of paragraphs (a) through (d) of Specification No. 1 is referred to and incorporated herein by such reference as if each such allegation was fully stated:
- b) Said conduct of the accused constituted a breach of the peace, neglect

of duty, and misconduct, tended to subvert the good order, efficiency and discipline of the department, was prejudicial to the efficiency and discipline of the department, and reflected discredit upon the department and a member thereof, and therefore the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

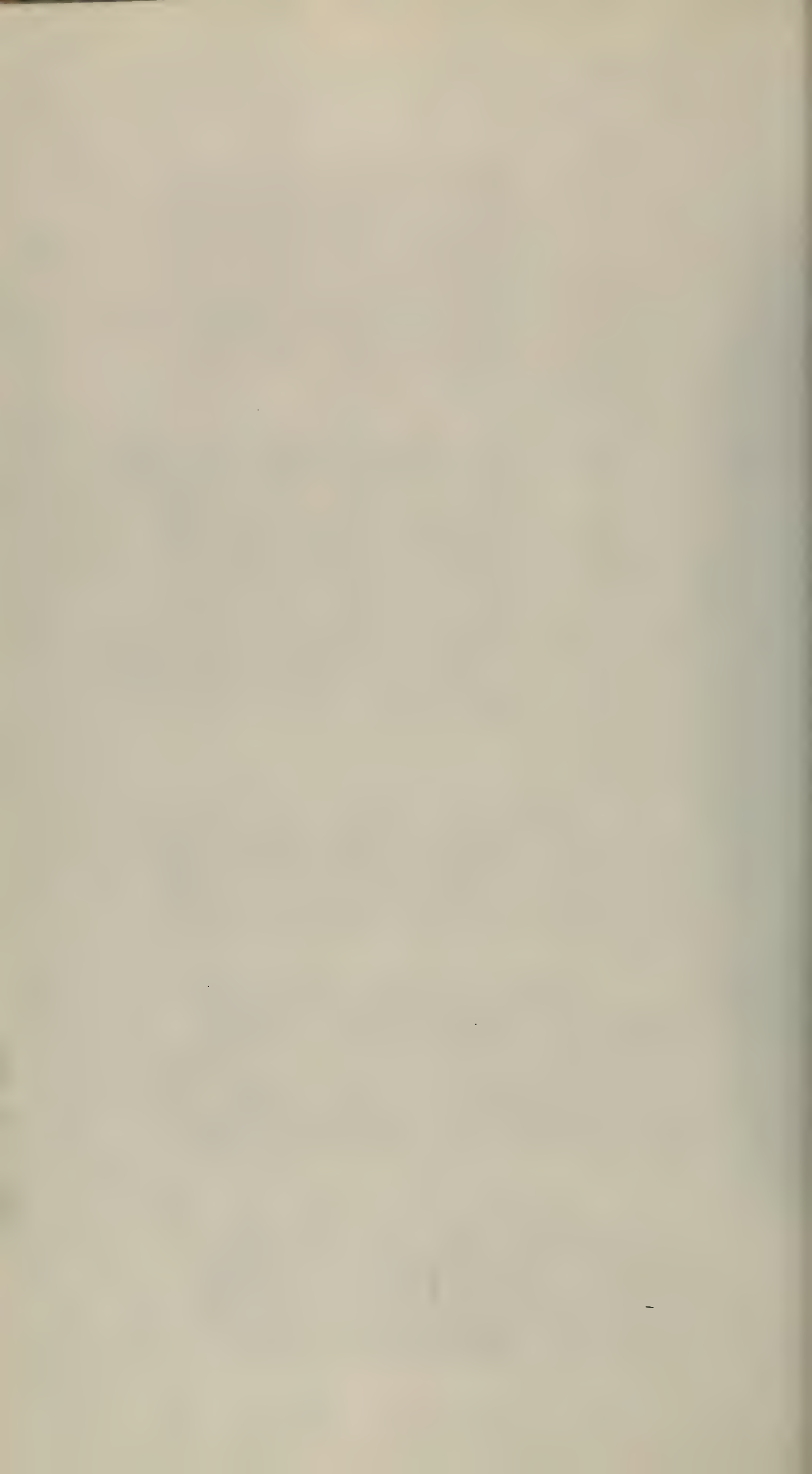
"2.13 - Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency and discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, October 3, 1979, and that on Monday, October 8, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Eddy L. Castiglioni, Personnel and Training, as contained in Specification No. 1, Section 2.03, and Specification No. 2, Section 2.13, are sustained by the evidence presented at the hearing, and that Police Officer Eddy L. Castiglioni has violated the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Eddy L. Castiglioni, has violated Specification No. 1, Section 2.03, and Specification No. 2, Section 2.13, of the Rules and Procedures of the San Francisco Police Department, and for said violation he shall be dismissed from the San Francisco Police Department; and be it further



RESOLVED, that said dismissal, effective October 8, 1979 at 1830 hours, be, and the same is hereby affirmed and approved.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NAYS: Commissioner Sanchez

ABSENT: Commissioner Ciani

CONTINUATION OF THE HEARING OF POLICE OFFICER
MICHAEL KELLY, VICE CRIMES DIVISION

The matter of the hearing of Police Officer Michael Kelly, Vice Crimes Division, was called, it having been continued from the meeting of September 27, 1979.

Police Officer Michael Kelly, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

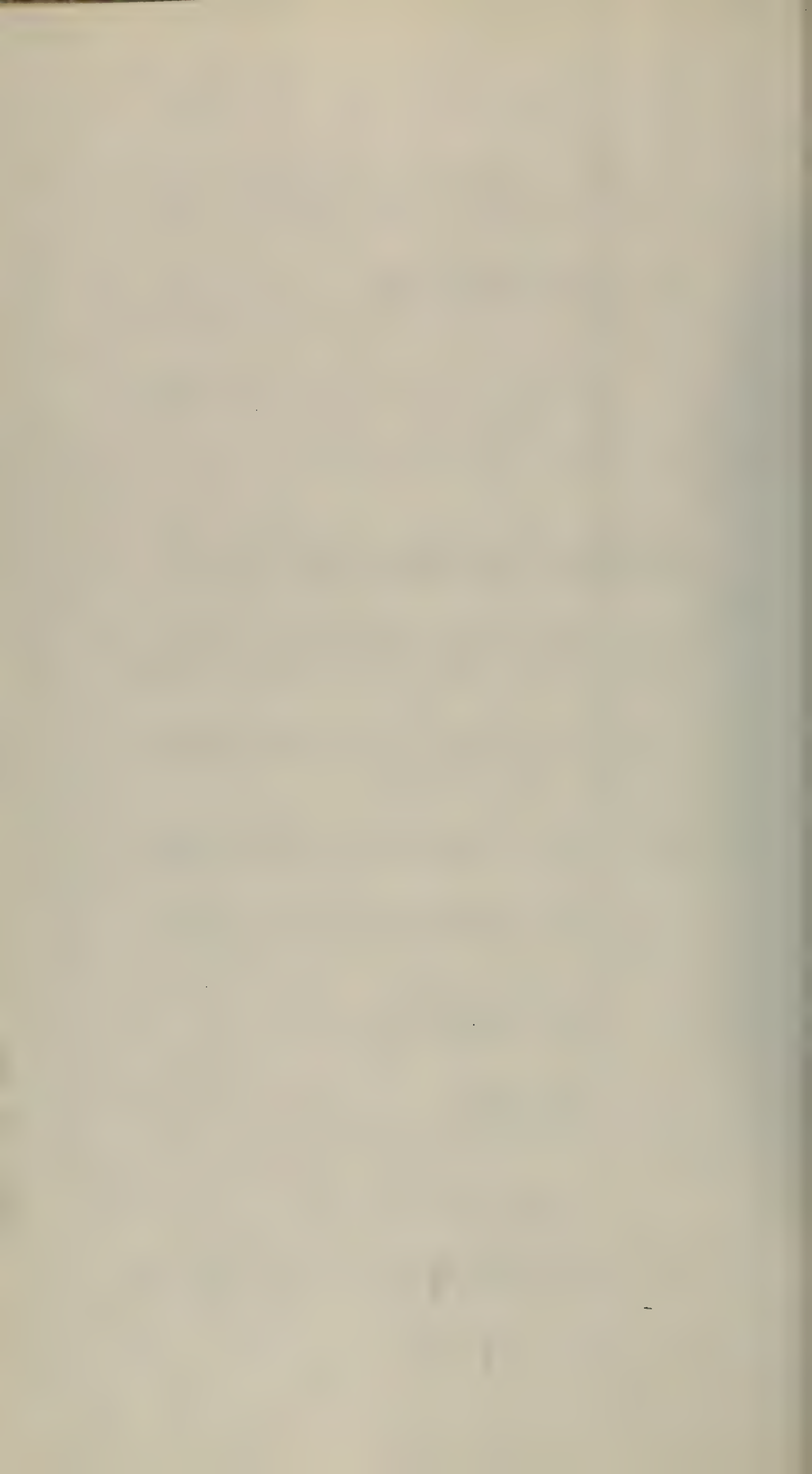
The following-named witnesses appeared for the Prosecution, were sworn and testified:

Catherine Stevens
2238 Channing Way
Berkeley, California

Lelia Benson
732 Peralta
San Francisco, California

Police Officer Kelvin Woo
Richmond Police Station

The Commission then adjourned at 2115 hours, and the matter was continued to Monday, October 15,



1979 at 1815 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER DANIEL MARR, BUREAU OF COMMUNICATIONS.

The matter of the hearing of Police Officer Daniel Marr, Bureau of Communications, was called, it having been continued from the meeting of September 27, 1979.

Police Officer Daniel Marr, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

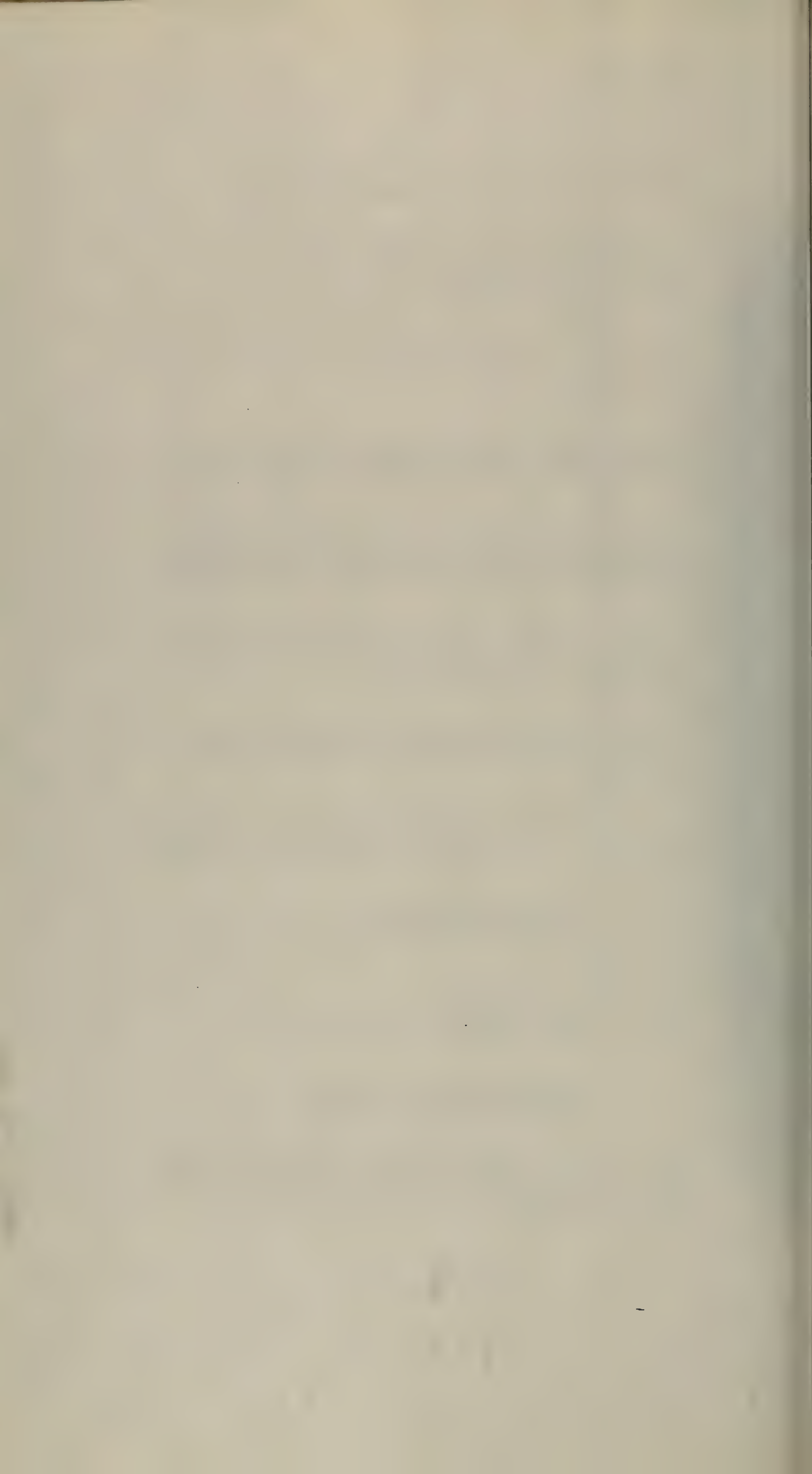
The following-named witnesses appeared for the Prosecution, were sworn and testified:

Catherine Stevens
2238 Channing Way
Berkeley, California

Lelia Benson
732 Peralta
San Francisco, California

Police Officer Kelvin Woo
Richmond Police Station


The Commission then adjourned at 2115 hours, and the matter was continued to Monday, October 15, 1979 at 1815 hours, in Room 551, Hall of Justice.



(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

The Commission then adjourned its meeting at 2115 hours.



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10 OCTOBER 1979

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SF
The Police Commission did not hold its
meeting on this date.

Minutes

Gene M. Hampton

ACTING SECRETARY

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15 OCTOBER 1979

SPECIAL MEETING


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This Special Meeting of the ~~the~~ Police
Commission was cancelled by the
President of the Police Commission,
Richard J. Siggins.

Ther...



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17 OCTOBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 17, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez

ABSENT: Commissioners Toler, Siggins

Commissioner Ciani presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

2890 LAGUNA STREET - ELIGANT BLOCK - HELD OVER

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

APPROXIMATELY 131 LENOX - MUNI CENTRAL CONTROL

- a) At approximately 131 Lenox, install a 44' green zone, extending from entry of entrance 22' north and 22' south of same.

1814 CLEMENT STREET - JOHN'S RESTAURANT

- a) At 1814 Clement Street, install a 44' white zone, extending from west property line 44' east of same.

1798-39th AVENUE - A & A LIQUORS

- a) At 1798-39th Avenue, install a 45' yellow zone, extending from south property line 45' north of same.

1798-39th AVENUE - A & A LIQUORS - REVOKED

- a) At 1798-39th Avenue, revoke existing 45' green zone, extending from south property line 45' north of same.

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199 GEARY STREET - S.F.P.D.

- a) At 199 Geary Street, revoke existing 88' Special Truck Loading Zone from 36' to 124' east of Stockton Street.

155 GEARY STREET - S.F.P.D.

- a) At 155 Geary Street, revoke existing 66' Special Truck Loading Zone, extending from 10' to 76' west of east line of 139 Geary Street. STLZ 7 AM to 1PM. Meters GEA 119, 121, 123.

133 GEARY STREET - S.F.P.D.

- a) At 133 Geary Street, revoke existing 22' white zone, extending from 9' to 31' west of east building line.

1982-90 OCEAN AVENUE - S.F.P.D.

- a) At 1982-90 Ocean Avenue, revoke existing 33' yellow zone, extending from 7' to 40' west of east building line.

1202 GUERRERO STREET & 3599 -24th STREET -HELD OVER

Mr. Salim Qamar of the 24th & Guerrero Market, addressed the Commission re: his problems and requests for a yellow and green zones. HELD OVER.

AYES: Commissioners Ciani, Murphy, Sanchez

NOT VOTING: Commissioners Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 254 feet of green, yellow and white zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,

NOT VOTING: Commissioners Toler, Siggins

RESOLUTION NO. 594-79

WILLIAM C. SAGER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of William C. Sager against the City and County of San Francisco in the sum of \$130.10 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 2, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 595-79

RAYMOND JANG & HERBERT JANG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Raymond Jang and Herbert Jang against the City and County of San Francisco in the sum of \$51.22 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 16, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 596-79

TOWN OF SAN ANSELMO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Town of San Anselmo against the City and County of San Francisco in the sum of

\$213.47 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 15, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 597-79

FALCON ASSOCIATES

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Falcon Associates against the City and County of San Francisco in the sum of \$209.95 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 16, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 598-79

VALERIE ROY-KUSKULIS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Valerie Roy-Kuskulis against the City and County of San Francisco in the sum of \$82.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 21, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 599-79

JOHNSON N. WARRINGTON

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Johnson N. Warrington in the sum of \$29.50 in Small Claims Court Action No. 364-002 entitled "Johnson N. Warrington vs. City and County of San Francisco, et al.," as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 15, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 607-79

ROBERT BIENSTOCK

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Robert Bienstock against the City and County of San Francisco in the sum of \$30.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 23, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 609-79

DARLENE DAGNINO

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Darlene Dagnino against the City and County

of San Francisco in the sum of \$534.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: August 9, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 610-79

JOVANA RUDISILL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Jovana Rudisill against the City and County of San Francisco in the sum of \$26.50 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: May 4, 1979

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 600-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000.00 charging same to Firm No. 355081 2010 133 01 as an advance on the Police Narcotic Fund for the month of October, 1979.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 601-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of October, 1979.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 602-79

AUTHORIZING ATTENDANCE OF LIEUTENANT RICHARD D. KLAPP AND SERGEANT MICHAEL S. HEBEL, PERSONNEL AND TRAINING, AT THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING QUARTERLY MEETING AT SACRAMENTO, CALIFORNIA, FROM OCTOBER 25, 1979 TO OCTOBER 26, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, be detailed to attend the Commission on Peace Officer Standards and Training Quarterly Meeting in Sacramento, California, from October 25, 1979 to October 26, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, in a sum not to exceed \$92.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 603-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Timothy Thorsen	)	\$636.00	(At the Middle-
Crime Prevention and Education Unit	)	each	(management Train-
	)		(ing Course at Costa
	)		(Mesa, California,
	)		(from August 20,
Lieutenant Kevin Conroy,	)		(1979 to August 31,
Park Police Station	)		(1979, inclusive.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 604-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Sergeant Ronald L. Jackson	)	\$207.00	(At the Chemical
Crime Specific Task Force	)	each	(Agents Instruc-
	)		(tor's Course at
Sergeant Victor Wode	)		(Stockton, Cal-
Personnel & Training	)		(ifornia, from
	)		(September 11,
Sergeant James Hall	)		(1979 to September
Northern Police Station	)		(13, 1979, inclu-
	)		(sive.
Police Officer John R. Hennesey)		
Crime Specific Task Force)		

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 605-79

AUTHORIZING ATTENDANCE OF LIEUTENANT JOHN JORDAN AND INSPECTOR ORA GUINThER, INVESTIGATIONS, AT THE NATIONAL HOMICIDE SYMPOSIUM AT SAN DIEGO, CALIFORNIA, FROM OCTOBER 22, 1979 TO OCTOBER 26, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Lieutenant John Jordan and Inspector Ora Guinther, Investigations, be detailed to attend the National Homicide Symposium at San Diego, California, from October 22, 1979 to October 26, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant John Jordan and Inspector Ora Guinther, Investigations, in a sum not to exceed \$490.50 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 606-79

AUTHORIZING ATTENDANCE OF ASSISTANT INSPECTOR ISIAH NELSON III, INTELLIGENCE UNIT, AT A SEMINAR ON OUTLAW MOTORCYCLE GANGS, AT SACRAMENTO, CALIFORNIA, FROM OCTOBER 23, 1979 TO OCTOBER 26, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Assistant Inspector Isiah Nelson, III, Intelligence Unit, be detailed to attend a Seminar on Outlaw Motorcycle Gangs, at Sacramento, California, from October 23, 1979 to October 26, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Assistant Inspector Isiah Nelson, III, Intelligence Unit, in a sum not to exceed \$218.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "No report tonight Commissioners."

Commissioner Murphy: "I have a question for the Chief. I saw in the paper that the Mayor has ordered our officers onto the Muni busses. How are we going to arrange that?"

Chief Gain: "It's already done. We have assigned 15 police officers to the busses as of last Wednesday. We took officers from various units and assigned them to busses because of the problems there."

Commissioner Murphy: "How many do we have normally on street patrol?"

Chief Gain: "You mean on foot patrol?"

Commissioner Murphy: "Yes, foot patrol."

Chief Gain: "Well, I don't have it. I don't have a status report in front of me. Do you get a copy of the vacancy status report we put out every week?"

Commissioner Murphy: "No."

Chief Gain: "Okay, let me report those precise figures next week."

Commissioner Murphy: "I want to know how many we have in patrol cars too. It seems to me we are always borrowing from patrol units to do something else."

Chief Gain: "No, we do just the opposite. What we do is we try to keep constant the number of officers on patrol."

Commissioner Sanchez: "I want to share a concern that a number of teenagers and some school people on the picket line and inside the schools have stressed, especially in the high schools. The Youth Services officers in the past have really played a key roll in defusing situations. We are going on to the longest strike in San Francisco history and tempers are getting very, very short,

including fires, tires, etc., and many of the administrators have voiced an opinion that if at all possible that officers of the Youth Services familiar faces that were there before could be there, they could help defuse potential or dangerous situations. I hope we would take a look at that again and put our needs where these are involved in preventive rather than having situations occur that could have been defused because of the expertise of our men and women."

Chief Gain: "We have assigned officers, Youth Services Division, and District Station personnel to the problem areas and general observation of all high schools as of Monday, we re-evaluated that again. There was an incident Monday morning at Washington High. We made sure officers are assigned. To my knowledge they are being assigned adequately. We are very sensitive about that as in any labor-management dispute to make sure that people can have ingress and egress to maintain the peace. We are on top of that-really."

Commissioner Sanchez: "Chief, if by chance you might review that again to make sure that it is happening again today."

RESOLUTION NO. 616-79

REQUESTING APPROVAL OF DIVISIONAL GENERAL ORDER
ON PERSONAL HISTORY INVESTIGATIONS

RESOLVED, that the Police Commission hereby accepts the Division General Order on Personal History Investigations.

(Copy on file in Officer
of the Police Commission)

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 611-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO FUND
THE DESIGN AND CONSTRUCTION OF SHOWERS AT THE
NEW ACADEMY

RESOLVED, that the Police Commission

hereby approves the Request for a Supplemental Appropriation which will fund the design and construction of shower facilities at the new Academy at Fremont School in the amount of \$135,580.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 612-79

REQUEST FOR A SUPPLEMENTAL RE-APPROPRIATION TO
FUND EXTENDED WORK WEEK PROGRAM AND ADDITIONAL
OVERTIME.

RESOLVED, that the Police Commission hereby approves a request for a Supplemental Re-Appropriation in the amount of \$914,650.00 which will be used to provide funds for the overtime account and the Extended Work Week Program.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 613-79

SETTING OF THE DATE FOR THE HEARING OF LIEUTENANT
RICHARD WILLETT, TRAFFIC BUREAU, HIT AND RUN DETAIL

WHEREAS, the setting of the date for the hearing of the disciplinary charges filed against Lieutenant Richard Willett, Traffic Bureau, Hit and Run Detail, was called; and

WHEREAS, it was requested by the Police Commission that Lieutenant Willett's disciplinary charges be set for January 9, 1980; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Lieutenant Richard

Willett is set for Wednesday, January 9, 1980
at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 614-79

REQUESTING APPROVAL OF PROPOSED GENERAL ORDER
ON PHYSICAL FITNESS AND AGILITY STANDARDS.

RESOLVED, that the Police Commission
hereby adopts the Proposed General Order on
Physical Fitness and Agility Standards.

(Copy on file in the Office
of the Police Commission.)

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

RESOLUTION NO. 615-79

REQUEST OF POLICE OFFICER PATRICK J. WHITE,
MISSION POLICE STATION, TO APPEAL TWO (2)
WORKING DAYS' SUSPENSION - APPROVED

WHEREAS, a communication was received
from Charles R. Gain, Chief of Police, officially
notifying the Police Commission of the suspension
of Police Officer Patrick J. White, Mission Police
Station, for a period of two (2) working days, com-
mencing at 0001 hours October 4, 1979 and terminat-
ing at 2400 hours, October 5, 1979, for permitting
a prisoner to escape; and

WHEREAS, a communication was received
from Police Officer Patrick J. White, Mission
Police Station, requesting a hearing before the
Police Commission in accordance with Section 3.06
of the Rules and Procedures of the San Francisco
Police Department, to appeal the disciplinary

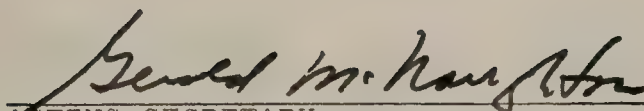
suspension for a period of two (2) working days by Charles R. Gain, Chief of Police; therefore be it

RESOLVED, that the request of Police Officer Patrick J. White, Mission Police Station, for a hearing before the Police Commission to appeal his suspension by Chief of Police Charles R. Gain for a period of two (2) working days commencing at 0001 hours, October 4, 1979 and terminating at 2400 hours, October 5, 1979, be, and the same is hereby set for Wednesday, October 24, 1979 at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy,
Sanchez

NOT VOTING: Commissioners Toler,
Siggins

The Commission then adjourned its meeting at 1815 hours.



ACTING SECRETARY

24 OCTOBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 24, 1979, at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioners Ciani, Sanchez **DOCUMENTS DEPT.**

Commissioner Siggins presiding.

NOV 26 1979

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

2890 LAGUNA STREET - ELIGANT BLOCK

Mr. Herbert appeared for the Eligant Block and spoke revelant to the issue of the yellow zone.

- a) At 2890 Laguna Street, install a 22' yellow zone, extending from 3' to 25' south of north building line.
- b) Remove meter LAG 2830.

1202 GUERRERO STREET - 24th & GUERRERO MARKET -
DENIED

- a) At 1202 Guerrero Street, install a 22' green zone, extending from north property line 22' south of same. DENIED.

3599-24th STREET - 24th STREET & GUERRERO MARKET -
DENIED

- a) At 3599 & 24th Street, install a 22' yellow zone, extending from west property line 22' east of same. DENIED.

DOCUMENTS DEPT.

NOV 26 1959

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2325 OCEAN AVENUE - 2325 OCEAN MEDICAL OFFICE

- a) At 2325 Ocean Avenue, install a 36' white zone, between crosswalks opposite Santa Ana.

3101 SACRAMENTO STREET - AMERICAN PIE

- a) At 3101 Sacramento Street, install a 44' green zone, extending from east property line 44' west of same.

3351-23rd STREET - HORCE MANN JUNIOR HIGH SCHOOL

- a) At 3351-23rd Street, install a 44' white zone, to be extended through meters #3339 and 3341.
- b) Sign on meter "School Bus Zone 8 A.M. to 9 A.M. - 2:30 P.M. to 3:30 P.M.

35 SPEAR STREET - GIFTS BY MONIQUE

- a) At 35 Spear Street, install an 8' yellow zone, parallel parking at meter #23 which will be removed.

4190 MISSION STREET - SOUTHEAST MENTAL HEALTH CENTER

- a) At 4190 Mission Street, install a 20' white zone, extending from south property line 20' north to crosswalk.

4190 MISSION STREET - SOUTHEAST MENTAL HEALTH

- a) At 4190 Mission Street, install a 20' yellow zone, extending from north property line 20' south to crosswalk.

4103-26th STREET - J. EUGENE MCATEER HIGH SCHOOL

- a) At 4103-26th Street, install a 150' white zone, extending from Noe Street 150' west of same.

2900 BRYANT STREET - GOLDEN BAY COMMERCIAL APPLIANCE

- a) At 2900 Bryant Street, install a 22' yellow zone, extending from north property line 22' south of same.



155 FELL STREET - SNAZELLE FILMS

- a) At 155 Fell Street, install a 44' yellow zone, extending from 5' to 49' east of west property line.
- b) Meters FEL 125 & 123 to be removed.

2460 SUTTER STREET - RUSSIAN CENTER

- a) At 2400 Sutter Street, install a 22' yellow zone, extending from 29' to 51' east of west property line.
- b) Revoke existing 22' white zone, extending from 29' to 51' east of west property line.

2 BOSWORTH - INTERNATIONAL REALTY & GOLDEN
GATE TERMITE - DENIED

- a) At 2 Bosworth Street, install a 22' green zone, extending from 6' to 28' west of east property line. DENIED.

2 BOSWORTH STREET - DIODATI CONSTRUCTION -REVOKED

- a) At 2 Bosworth Street, revoke existing 44' yellow zone, extending from 6' to 50' west of east property line.

2236 VAN NESS AVENUE - S.F.P.D. - REVOKED

- a) At 2236 Van Ness Avenue, revoke existing 21' green zone, extending 21' south of north line of building.

386 EDDY STREET - S.F.P.D. - REVOKED

- a) At 386 Eddy Street, revoke existing 21' yellow zone, extending from 9' to 30' east of Leavenworth Street.

2549 CLAY STREET - S.F.P.D. - REVOKED

- a) At 2549 Clay Street, revoke existing 25' yellow zone, extending 25' east of west property line.

112 SAGAMORE - S.F.P.D. - REVOKED

- a) At 112 Sagamore, revoke existing 33' green zone, extending from 27' to 60' west of east property line.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 166 feet of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 617-79

KEITH SILVA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Keith Silva against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 14, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 618-79

JAMES MONROE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of James Monroe against the City and County of San

Francisco in the sum of \$23.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: July 24, 25 and 27, 1978

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 619-79

RAY A. SCHULER

RESOLVED, that the recommendation of of the City Attorney for settlement of the claim of Ray A. Schuler against the City and County of San Francisco in the sum of \$1,749.83 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 19, 1979

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 620-79

TRAVEL EXPENSE VOUCHER - APPROVED

RESOLVED, that the Travel Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Inspector Isiah)	\$67.50	(Specialized Sur-
Nelson III)		(veillance Equip-
Intelligence Unit)		(ment Training
		(Course, Redwood
		(City, California,
		(from September
		(17,1979 to Septem-
		(ber 21, 1979, in-
		(clusive.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 621-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members of the Police Department for expense incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Robert Hankins,	)\$1,567.50	(Advanced
Sergeant Julian Landman,	)	(Special Wea-
Police Officer Brian D'Arcy	)	(pons and Tac-
Police Officer Robert Del Torre,	)	(tics Training
Police Officer Henry Hunter,	)	(Course, Santa
Police Officer Jeremiah Morgan.	)	(Rosa, Califor-
Crime Specific Task Force	)	(nia, from Sep-
		(tember 17, 1979
		(to September
		(21, 1979, in -
		(clusive.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

The Commissioners, having received, amended and returned copies of the minutes of the meetings of September 5, 1979, September 10, 1979, September 12, 1979 and September 19, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "I have no report."

Commissioner Siggins: "Any questions?"

Commissioner Murphy: "Yes. I was called by a woman, Mrs. Gilford, of the Catholic Social Service, and they have a Committee on Aging which is very

concerned about parking across the sidewalk where blind, disabled people, and particularly very old people encounter this hazard. Mrs. Gilford had talked to the Commission on Aging and some of the members proposed they be allowed to give out tickets for these violations. I said that I don't believe they would be allowed to give out tickets. They might be able to put out warnings and keep a carbon copy and turn these over to the Police Department. The Commission on Aging has prepared a resolution re illegal parking that they asked me to bring to the Commission.

'RESOLUTION TO STOP ILLEGAL PARKING

Whereas: Sidewalk Parking is a violation of State and City Traffic Codes, and,

Whereas: Sidewalk Parking endangers the Elderly, the Blind and the Disabled, and,

Whereas: The Police Department claims a lack of manpower to enforce this ordinance due to the increase in serious crime, Therefore be it,

Resolved: That the Advisory Council of the Commission on Aging request a study of the employment of Senior Citizens to place citations on all illegally parked vehicles.

Respectfully submitted,

s/ Hugh M. Bell
Hugh M. Bell
Member of Advisory Council
District 11

approved by the Advisory Council of the Commission on Aging at the meeting held September 26, 1979. Referred to Program Planning, Development and Budget Committee for study and report at Special Meeting of the Commission on Aging October 3, 1979.'

Will you please look into this situation and see if we could develop a plan where warnings might be given out?"

Commissioner Siggins: "What about the Mayor's letter to us where she went through the total sniper bit and was very proud of the department and she wants us to do something?"

Chief Gain: "That is already in the process now."

Commissioner Siggins: "Some people will be singled out. What about the work of the entire department?"

Chief Gain: "Let's look for something more specific and we'll get back to the Commission next week."

Commissioner Siggins: "I wonder if the department thanked the Red Cross for bringing the food, etc?"

Chief Gain: "That has gone out already."

Commissioner Murphy: "We were suppose to get a plan, and I'm not nagging you about this, on the Community Relations functions."

Chief Gain: "That wasn't due until November and it will be before the Commission next week."

RESOLUTION NO. 624-79

HEARING OF APPEAL OF SUSPENSION WITHOUT PAY OF
POLICE OFFICER PATRICK J. WHITE, MISSION POLICE
STATION, CONTINUED TO NOVEMBER 28, 1979.

WHEREAS, the hearing of the appeal of suspension of Police Officer Patrick J. White, Mission Police Station, was called, it having been set for this date; and

WHEREAS, because of the absence of a Police Commission quorum at the time the hearing was called, the matter was continued to November 28, 1979; therefore be it

RESOLVED, that the hearing of the appeal of the disciplinary suspension filed against Police Officer Patrick J. White, Mission Police Station, is continued to Wednesday, November 28, 1979 at 1730 hours, in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 622-79

SETTING OF THE DATE FOR THE HEARING OF POLICE
OFFICER DENNIS L. MC CAFFREY, NORTHERN POLICE
STATION

WHEREAS, the setting of the date for

the hearing of the disciplinary charges filed against Police Officer Dennis L. McCaffrey, Northern Police Station, was called; and

WHEREAS, it was requested that Officer McCaffrey's disciplinary charges before the Police Commission be tentatively set for either November 21, 1979 or November 28, 1979; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Dennis L. McCaffrey, is tentatively set for either Wednesday, November 21, 1979, or Wednesday, November 28, 1979, at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

RESOLUTION NO. 623-79

SETTING OF THE DATE FOR THE HEARING OF POLICE OFFICER ANDREW W. CITIZEN, SOUTHERN POLICE STATION

WHEREAS, the setting of the date for the hearing of disciplinary charges filed against Police Officer Andrew W. Citizen, Southern Police Station, was called; and

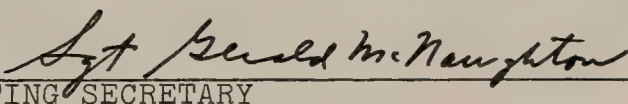
WHEREAS, it was requested that Officer Citizen's disciplinary charges before the Police Commission be tentatively set for either November 21, 1979 or November 28, 1979; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Police Officer Andrew W. Citizen, is tentatively set for either Wednesday, November 21, 1979 or Wednesday, November 28, 1979, at 5:30 p.m. in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

The Commission then adjourned its meeting at 1840 hours.



ACTING SECRETARY

31 OCTOBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco, met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, October 31, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Toler, Siggins

ABSENT: Commissioners Murphy, Sanchez

Commissioner Siggins presiding.

DOCUMENTS DEPT.

NOV 26 1979

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

455 VALENCIA STREET - CENTENNIAL ELECTRICAL & PLUMBING

- a) At 455 Valencia Street, install a 41' yellow zone, extending from 3' to 44' south of north property line.

701 COLE STREET - RIVER CITY DELI

- a) At 701 Cole Street, install a 23' green zone, extending from north property line 23' south of same.

1601 WALLER STREET - RIVER CITY DELI

- a) At 1601 Waller Street, install a 22' yellow zone, extending from east property line 22' west of same.

2043-19th AVENUE - HILL HAVEN CONVALESCENT HOSPITAL

- a) At 2043-19th Avenue, install a 22' yellow zone, extending from 4' to 26' south of driveway.
- b) Revoke existing 22' white zone, extending from 4' to 26' south of driveway.

DOCUMENTS DEPT

7-15-58

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1050 VAN NESS AVENUE - RICHELIEU HOTEL -HELD OVER

- a) At 1050 Van Ness Avenue, install a 40' white zone extension, from 5' to 45' north of south building line. HELD OVER.

1465 BUSH STREET - MALM LUGGAGE REPAIR

- a) At 1465 Bush Street, revoke existing 21' yellow zone, extending from east of property line to 15' west of east property line.
- b) Replace with green meters.

1020 FOLSOM STREET - S.F.P.D.

- a) At 1020 Folsom Street, revoke existing 15' yellow zone, extending from 30' to 45' east of west property line.

1004 FOLSOM STREET - S.F.P.D.

- a) At 1004 Folsom Street, revoke existing 33' yellow zone, extending from 15' to 48' west of 6th Street.

1020 FOLSOM STREET - S.F.P.D.

- a) At 1020 Folsom Street, revoke existing 26' yellow zone, extending from 65' to 91' east of west property line.

141 SUTTER STREET - S.F.P.D.

- a) At 141 Sutter Street, revoke existing 22' STLZ from 10' to 32' west of Lick Place.

145 SUTTER STREET - S.F.P.D.

- a) At 145 Sutter Street, revoke existing 44' STLZ extending from 54' to 98' west of Lick Place.

40 POST STREET - S.F.P.D.

- a) At 40 Post Street, revoke existing 42'

STLZ yellow zone, extending from 10'
to 52' west of Lick Place, STLZ 9A/1P.

161 SUTTER STREET - S.F.P.D.

- a) At 161 Sutter Street, revoke existing
22' yellow zone, extending from 98'
to 120' west of Lick Place.

1967 JACKSON STREET - S.F.P.D.

- a) At 1967 Jackson Street, revoke existing
29' yellow zone, extending from east
property line 29' west of same.

1967 JACKSON STREET - S.F.P.D.

- a) At 1967 Jackson Street, revoke existing
40' green zone, extending from 52' to
92' west of east line.

2240 VAN NESS AVENUE - S.F.P.D.

- a) At 2240 Van Ness Avenue, revoke existing
22' green zone in front of 2240 Van Ness
Avenue.

2551-2553 CLAY STREET - S.F.P.D.

- a) At 2551-2553 Clay Street, revoke existing
22' yellow zone in front of 2551-53 Clay
Street.

80 POST STREET - S.F.P.D.

- a) At 80 Post Street, revoke existing 100'
STLZ yellow zone, extending from 72' to
172' east of Kearny Street.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

REVOKED

RESOLVED, that the recommendation of
the Traffic Bureau on the revocation of 460 feet

of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 625-79

EDDY KOHS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Eddy Kohs against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: September 30, 1979

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 626-79

CLINTON EVANS

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Clinton Evans against the City and County of San Francisco in the sum of \$504.47 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: Spetember 18, 1979

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 627-79

FRANCIS L. KWONG

RESOLVED, that the recommendation of

the City Attorney for settlement of the claim of Francis L. Kwong against the City and County of San Francisco in the sum of \$30.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: October 10, 1979

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 628-79

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF MARIO AMOROSO AND POLICE OFFICER GEORGE SCHRECK, SUPPORT SERVICES BUREAU, AT THE POLICE VEHICLE FLEET MANAGEMENT WORKSHOP AT PHOENIX, ARIZONA, FROM NOVEMBER 14, 1979 TO NOVEMBER 16, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Mario Amoroso and Police Officer George Schreck, Support Services Bureau, be detailed to attend the Police Vehicle Fleet Management Workshop at Phoenix, Arizona, from November 14, 1979 to November 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Deputy Chief Mario Amoroso and Police Officer George Schreck, Support Services Bureau, in a sum not to exceed \$615.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 629-79

AUTHORIZING ATTENDANCE OF POLICE OFFICERS STEPHEN BOSSHARD AND BOB C. DAVIS, VICE CRIMES-NARCOTICS, AT THE NARCOTICS INVESTIGATORS COURSE AT SACRAMENTO, CALIFORNIA, FROM NOVEMBER 4, 1979 TO NOVEMBER 16, 1979, INCLUSIVE.

RESOLVED, that the recommendation of

the Chief of Police that Police Officers Stephen Bosshard and Bob C. Davis, Vice Crimes-Narcotics, be detailed to attend the Narcotics Investigators Course at Sacramento, California, from November 4, 1979 to November 16, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officers Stephen Bosshard and Bob C. Davis, Vice Crimes-Narcotics, in a sum not to exceed \$528.00 each, will be defrayed by the San Francisco Police Department's Police Officer's Training Fund.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 630-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Ronald Jackson,	)	\$906.00	(At the Ad-
and trainees, Police	)		(vanced Special
Officers Richard Hesselroth,	)		(Weapons and Tac-
Robert Del Torre, Richard	)		(tics Refresher
Holder, Henry Kirk, Mark	)		(Course at Fort
Potter, Raymond Shaffer and	)		(Ord, Monterey,
Robert Sudano	)		(California, from
			(October 2, 1979
			(to October 3,
			(1979, inclusive.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 631-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members

of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Julian Landman	)	\$906.00	(At the Advanced
and trainees, Police	)		(Special Weapons
Officers Richard Sheehan,	)		(and Tactics Re-
George Cima, Jerry Donovan,	)		(fresher Course at
John Frederickson, Ronald	)		(Fort Ord, Monterey,
Killen, Philip Bill and	)		(California, from
Charles Tedrow.	)		(October 11, 1979
			(to October 12, 1979,
			(inclusive.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 632-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Robert Hankins	)	\$906.00	(At the Advanced
and trainees, Police	)		(Special Weapons
Officers Brian D'Arcy,	)		(and Tactics Re-
Gary Elsenbroich, Alex	)		(fresher Course
Fagan, Michael Lawson,	)		(at Fort Ord, Mon-
Michael McElligott,	)		(terey, California,
Robert Puts and David	)		(from October 9,
Roccaforte.	)		(1979 to October
			(10, 1979, inclusive.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 633-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named members

of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Lieutenant Charles Beene,	)	\$1,019.25	(At the Ad-
and trainees, Sergeant	)		(vanced Wea-
James Dachauer, Sergeant	)		(pons and Tac-
David Winn, Police Officers	)		(tics Refresh-
Henry Hunter, John Hennessey)			(er Course, at
Timothy Hettrich, Jeremiah	)		(Fort Ord; Mon-
Morgan, Glenn Pennebaker	)		(terey, Califor-
and William Taylor	)		(nia, from Octo-
			(ber 4, 1979 to
			(October 5, 1979,
			(inclusive.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

The Commissioners, having received, amended and returned copies of the minutes of the meetings of September 26, 1979, September 27, 1979, and October 3, 1979, the reading of the minutes was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain: "Mr. President, members of the Commission, you might want to use this time for the purpose of acknowledging the receipt of the SRI Report as Mr. John Taylor is here."

Commissioner Siggins: "Yes, I think that I will introduce Mr. John L. Taylor from SRI International who is a Senior Urban Management Specialist for SRI, a former City Manager of Fresno, Kansas City and Berkeley, and was the project leader in the case study that we asked SRI to conduct in connection with the Riots of May 21-22, 1979. The SRI International presented to us a report consisting of 50 pages that's called the May 1979 Riot in San Francisco Police Issues. It was presented to us Monday afternoon and we asked Mr. Taylor to come to the Commission Meeting tonight to present it and to talk about it, if you will for a few minutes."

John L. Taylor: "Mr. President, Commissioners, SRI International is a not for profit multidisciplinary research organization which has studied, at the request of the Police Commission, the events of the 21st and 22nd of May of this year and presented reports to you. I would like to stress a few things and I am assuming that it will take you sometime to read and analyze this thoroughly and I do not intend to summarize the report, but I would like to stress a few things. One is that we are, in the report, concentrated primarily on recommendations relative to the future and not simply to looking backwards at what happened and pointing fingers to see that at 10:02, or whatever, that a certain individual might have done something that he wished he had done later, or whatever. In short, we are stressing the future and not the past.

Another thing that ought to be stressed is that we had the advantage of hindsight and the hundreds of people on the scene did not have that advantage. A third thing is that many of the aspects of this were matters of judgment and reasonable people will differ in judgment matters.

The report which will be distributed tonight includes a statement of response by the Mayor and a statement of response by the Police Chief. He has identified...the Chief has, what he considers some problems and I would like to comment, at his request, on some of those and put them into context. For example, in the list of deficiencies within the report we indicate that there was no cordon line established around the scene which would let people out but not people in. Of that, is certainly a fact. We don't mean to imply there are errors of judgment that were made, it's simply a fact, the police department was not able to do that sort of thing. So when you look at the list of deficiencies do not think of them as necessarily errors in judgment. Some of them, we obviously think were, but some of them are not.

A key issue relates to the timeliness of the police response and the Chief has some comments to make that is in his response which will be distributed with the report. The report indicates that at about 8:45 the department had enough men on the scene to sweep the front of City Hall. It goes on to indicate there was not a significant increase in the manpower between 8:45 and later in the evening when the Plaza was swept. You should not get the impression that there was not an increase in the number of officers. There certainly was an increase, but relative to the size of the crowd and the violence in the crowd, we think there was not an increase of police capability. The fact that at 8:45, in our judgment, there were enough officers to sweep the area in front of City Hall, does not necessarily mean that the department could or should have. For example, we discussed the ques-

tion of using persuasion rather than force and think that when there is a chance that persuasion will work that that should be tried first and that, for instance, 8:45 was sometime before Supervisor Carol Ruth Silver had gone out to the Mayor's balcony with a cigarette lighter representing a candle in an attempt to have a peaceful solution to the problem, and at 8:45 the Department was in the relatively early stages of trying to find an adequate public address system which could have made a difference. So, the fact that there were enough officers available to do something, it doesn't mean necessarily, that that should have been done at that time.

While we also point out, as the Chief has in his Major Incident Report issued shortly after the event, that the squads present had not been formed into platoons, or companies, or large groups under lieutenants or other middle management personnel. A deficiency that the Chief identified earlier. We concur with that and that absence would have made it much more difficult to conduct a sweep which we feel could have been done given the number of men available. And then there are a number of judgment matters, such as whether the crowd was too.....in lieu of the propensity of the crowd, to want to resist. I think that that's the only specific incident that I would like to comment on now as a result of the Chief's request.

I would urge the Commission to read the report thoroughly, to analyze it and I would be glad, if the Commission desires, to discuss it with the Commission at some other time and to discuss it with the Chief. If you have any questions at this time, or later, I would be glad to answer them.

Commissioner Siggins: "I don't have any questions at this time Mr. Taylor, but on behalf of the Commission we accept the report with thanks to SRI International. We accept the fact that there are recommendations in there for the future and they will be implemented, and we just received a letter from the Mayor who says she has gone over the entire report and she wants some things implemented, things that have not been implemented and she considers it an excellent report. Her letter will be distributed to the press, I think, via your report. Are there any questions of Mr. Taylor at this time?"

Commissioner Ciani: "I just want to thank you for your comments and for putting some of the items in the report into the proper perspective and I appreciate your clarification of some of the points on page 21."

Commissioner Siggins: "Fine, but I would like to point out the recognition of the fact that the people in Civic Center that night were a combination of people who wanted to start a riot, or be involved in a riot, and there were other people who were there peacefully demonstrating but angry at a verdict, and then there were also just bystanders there. And you did recognize that fact."

John L. Taylor: "A very mixed crowd."

Commissioner Siggins: "Okay."

John L. Taylor: "Thank you."

Commissioner Siggins: "Chief, do you have.....?"

Chief Gain: "Just a brief comment at this time Mr. President. I submitted to you an approximate 8 page report in response. I would like to state briefly that, one, the SRI Report reflects, of course, a great deal of work. It has many observations, conclusions, criticisms and recommendations. We welcome the criticisms, we previously acknowledged deficiencies and we look forward to discussion of those described in the report. We do, of course, take exception to some which, perhaps, based upon clarification and discussions, can be resolved as to intent and meaning and particularly as regards to some 35 positive recommendations contained in the report, some of which we have implemented. Approximately 16 of which we either have, or are in the process of implementing. In regard to all of them then we definitely will studiously evaluate and implement, in whole or in part, as is appropriate. It's a valuable document. It provides a great deal of worthwhile information. So we want to acknowledge that. Two comments: I think that particular prominence should be given to that part of the report that speaks to the ordered removal of Deputy Chief Mullen of the officers at Market Street later on that evening. The report identified the action taken by Chief Mullen at that time when there were several hundred persons confronting numbers of police and the only appropriate action to take was for the police to go back and do other things. They described Chief Mullens' action in deciding to remove the police as being both courageous and exercising, in effect, effective leadership. And I want to emphasize that part of the report. Chief Mullen has without any justification whatever, been criticized for taking that judicious action, that hopefully those, particularly within the department, who have so unjustly criticized him will recognize that, in fact, it was a judicious, courageous action he took called for by the circumstances and one of the most effective indi-

cators of leadership that a police person can perform. That part of the report further states that

Commissioner Siggins: "May I just interrupt you for a moment? Do you hear that Mr. Taylor?"

John L. Taylor: "Yes, he is accurately stating what is in the report."

Chief Gain: "I am paraphrasing his report and I read it four times. I am very impressed with it. That part of the report further states that had that action not been taken which Chief Mullen took there may well have been an all night, full scale riot. May have been and there may well have been. At the least there would have been, and I have stated this previously, a police riot, a police riot if the police had inappropriately and injudiciously moved. I want to emphasize that. I would state lastly that, although we take exception at the bottom line I am confident, as I was that night and have been since and after reviewing this report, that although we have deficiencies, we have to make corrections, that the overall objective of minimizing personal injury to both police and others was accomplished. At the bottom line, as indicated in the report, no one was killed. In fact, there was minimal injuries, although, regrettably, both police and others were injured and that was the ultimate objective to be achieved. I am comfortable the action taken that night, the strategy, objectives were appropriate. Thank you."

Commissioner Siggins: "Thank you Chief, any questions of the Chief in that regard? I think that will cover that aspect of this Commission Meeting, we have other matters to go on with, but in the interest of time we can take a recess for a few minutes and the press can ask questions of Mr. Taylor if they want. That can be done at another location in the building and Officer Henry Friedlander has copies of the report for you."

PUBLIC HEARING ON THE ISSUANCE OF A SECOND-HAND DEALER PERMIT, 880 EGBERT STREET, SAN FRANCISCO, CALIFORNIA (AUTO ACCESSORIES) -
CONTINUED FOR ONE (1) WEEK.

and

PUBLIC HEARING ON THE ISSUANCE OF AN AUCTIONEER PERMIT, 880 EGBERT STREET, SAN FRANCISCO, CAL-

IFORNIA. - CONTINUED FOR ONE (1) WEEK.

In order to clarify and receive an appropriate recommendation from Inspector Richard Duane of the Pawn Shop/Auto Detail and also to allow for the appearance of Mr. Harley D. Rowe, applicant, who did not appear at tonights hearing.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

RESOLUTION NO. 634-79

PUBLIC HEARING ON THE ISSUANCE OF AN AUCTIONEER PERMIT

WHEREAS, the Police Commission on October 31, 1979, heard the application of William N. Schlesinger for the issuance of an Auctioneer Permit, in the City and County of San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and

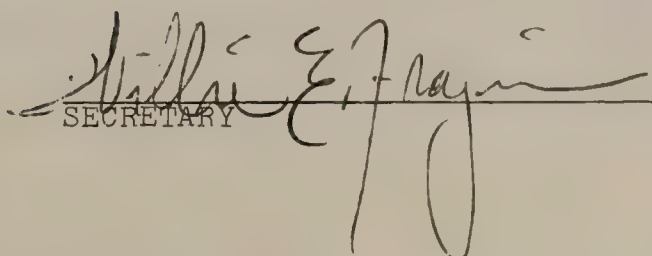
WHEREAS, written recommendations of approval were submitted from Taraval Police Station, and other appropriate City Agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Section 1253 of the San Francisco Municipal Code (Police Code) does hereby grant to William N. Schlesinger an Auctioneer's Permit for the purpose of conducting auctions at the site of Real Property subject to approval of individual sites in the City and County of San Francisco.

AYES: Commissioners Ciani, Toler, Siggins

NOT VOTING: Commissioners Murphy, Sanchez

The Commission then adjourned its meeting at 1840 hours.



SECRETARY

7 NOVEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 7, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins presiding.

DOCUMENTS DEPT.

DEC 14 1979

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RECOMMENDATION OF THE TRAFFIC BUREAU

845 Bush Street - Hotel Louise - Held Over One (1) Week

- a) At 845 Bush Street, install a 44' white zone, extending from 12' to 56' east of west building line.
- b) Revoke existing 44' STLZ, remove meter BUS 821, 823, & 12' yellow in front of 835 Bush Street,
HELD OVER ONE (1) WEEK.

Applicant Mr. Gerald Levitin appeared and presented testimony in his own behalf in an attempt to acquire a white zone in front of his premises. The Department recommended a denial on the basis that it would cause double parking and that the number of units in the building were not enough to comply with the Department's criteria for granting the requested zoning. After listening to Mr. Levitin, the Commission put the matter over for one (1) week.

116-NO. 5th STREET - BURGER KING - DENIED

- a) At 116 North 5th Street, install a 22' yellow zone, extending from north property line 22' south of same. DENIED.
- b) Remove meter 116. DENIED.

Applicant Dorothy Hatley appeared and presented testimony in her behalf in an attempt to acquire a yellow zone in front of her business, the Burger King, at the stated location. The Commission,

after listening to her testimony upheld the Department's recommendation to deny the granting of this zone.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1050 VAN NESS AVENUE - RICHELIEU HOTEL

- a) At 1050 Van Ness Avenue, revoke existing 22' white zone, extending from 23' to 45' south of north property line.
- b) Replace with one meter.

1050 VAN NESS AVENUE - RICHELIEU HOTEL

- a) At 1050 Van Ness Avenue, install a 40' white zone, extending from 12' to 52' north of Myrtle Alley.
- b) Remove meters VAN 1022 & 1020.

1050 VAN NESS AVENUE - RICHELIEU HOTEL - DENIED

- a) At 1050 Van Ness Avenue, install a 40' white zone extension from 5' to 45' north of south building line. DENIED.

501 LAGUNA HONDA - ST. JOHNS UNITED CHURCH OF CHRIST

- a) At 501 Laguna Honda, install a 22' white zone, extending from 7' to 29' north of south building line.

3701 SACRAMENTO STREET - RIMS & GOGGLES

- a) At 3701 Sacramento Street, install a 22' green zone, extending from 14' to 36' west of east property line. (300 min. use out 540 min. zone.)

189 LIPPARD - GLEN PARK SCHOOL

- a) At 189 Lippard Street, revoke existing 39' yellow zone, extending from 45' to 84' north of south line of school yard.
- b) Install a 44' white zone, extending from 45' to 89' north of south line of school yard.

771 O'FARRELL STREET - S.F.P.D

- a) At 771 O'Farrell Street, revoke existing 22' yellow zone, extending from 95' to 117' east of Larkin Street.

#3 COLUMBIA SQUARE - S.F.P.D.

- a) At #3 Columbia Square, revoke existing 22' yellow zone, extending from 64' to 86' south of north property line.

170 BROMPTON - GLEN PARK SCHOOL

- a) At 170 Brompton, revoke existing 116' white zone, extending from 100' to 216' north of Joost Street leaving 44' to 260' zone.

2549 CLAY STREET - S.F.P.D.

- a) At 2549 Clay Street, revoke existing 22' yellow zone, extending from west property line 22' east of same.

366 GUERRERO STREET - FOREMOST DAIRY

- a) At 366 Guerrero Street, revoke existing 21' yellow zone, extending from 38' to 59' north of south building line.

366 GUERRERO STREET - FOREMOST DAIRY

- a) At 366 Guerrero Street, revoke existing 36' green zone, extending from 36' north of south building line.

#10 GALLAGHER - SAN FRANCISCO PROGRESS - DENIED

- a) At #10 Gallagher, install a 123' yellow zone, extending from 27' to 150' south of Tehama. DENIED.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 300 feet of white, yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 635-79

JOHN S. COLLINS AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of John S. Collins in the sum of \$8,500.00 in Superior Court Action No. 719-383 entitled "John S. Collins vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: May 2, 1976

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 636-79

ALLEN E. MADISON

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Allen E. Madison against the City and County of San

Francisco in the sum of \$25.00 as the result of a faulty tow, be, and the same is hereby approved.

Date of Incident: August 22, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 637-79

AUTHORIZING ATTENDANCE OF POLICE OFFICERS CHARLES COATES, INGLESIDE POLICE STATION, ROGER FOGG, PERSONNEL AND TRAINING, AND RICHARD WALLETT, CRIME SPECIFIC TASK FORCE, AT THE FIREARMS INSTRUCTORS' COURSE AT EUREKA, CALIFORNIA, FROM NOVEMBER 26, 1979 TO DECEMBER 7, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Police Officers Charles Coates, Ingleside Police Station, Roger Fogg, Personnel and Training, and Richard Walllett, Crime Specific Task Force, be detailed to attend the Firearms Instructors' Course at Eureka, California, from November 26, 1979 to December 7, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Police Officers Charles Coates, Ingleside Police Station, Roger Fogg, Personnel and Training, and Richard Walllett, Crime Specific Task Force, in a sum not to exceed \$637.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 638-79

AUTHORIZING ATTENDANCE OF LIEUTENANTS KELVIN BROWN, SUPPORT SERVICES, WILLIE E. FRAZIER, POLICE COMMISSION OFFICE, FRANKLIN GREER, INTERNAL AFFAIRS BUREAU, AND ARTHUR LOCKWOOD, SOUTHERN POLICE STATION, AT A MIDDLE MANAGEMENT TRAINING COURSE AT KELSEYVILLE, CALIFORNIA, FROM NOVEMBER 26, 1979 TO DECEMBER 7, 1979. INCLUSIVE.

RESOLVED, that the recommendation of the

Chief of Police that Lieutenants Kelvin Brown, Support Services, Willie E. Frazier, Police Commission Office, Franklin Greer, Internal Affairs Bureau, and Arthur Lockwood, Southern Police Station, be detailed to attend a Middle Management Training Course at Kelseyville, California, from November 26, 1979 to December 7, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenants Kelvin Brown, Support Services, Willie E. Frazier, Police Commission Office, Franklin Greer, Internal Affairs Bureau, and Arthur Lockwood, Southern Police Station, in a sum not to exceed \$594.50 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 639-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Richard D. Klapp, Personnel & Training) \$46.00 (At the Commission) each (on Peace Officer) (Standards and Train-) (ing Quarterly Meet- Sergeant Michael S. Hebel,) (ing at Sacramento, Personnel & Training) (California, from (October 25, 1979 to (October 26, 1979, in- (clusive.
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AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 640-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher

submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Assistant Inspector)	\$218.00	(At a Seminar on
Isiah Nelson	)	(Outlaw Motorcycle
Intelligence Unit)	(Gangs, at Sacramento,
		(California, from
		(October 23, 1979 to
		(October 26, 1979, in-
		(clusive.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that there would be two reports. One is in regard to towing problems in the City. He stated that Commander Seghy was present to give an oral presentation along with a written report that he had prepared and distributed at this time.

Commander Seghy then addressed the Commission on the tow service problems based upon questions submitted by the Commission at last week's meeting.

He stated that at this time the Purchaser of Supplies has not been able to procure an agency to do the towing for the City because of the storage facility problem. He said that there are agencies that have facilities for the long term storage but not for the short term storage that the City would require for tow away zones. He said that there are agencies that are willing to contract partially for tow services of abandoned autos only, and some that will contract for emergency tow services and abandoned auto services, but have not yet found an agency that will tow for the three major tow needs which were previously mentioned. He stated that what he thought might be the direction, at this time, to proceed would be to solicit the Board of Supervisors to acquire properties that would be suitable for vehicle storage use and have the city sub-let those properties to any agency that would contract the City for full tow service.

Commissioner Ciani then wanted to know if the City could not use non-contract agencies for abandoned tows, absent a declaration of emergency, to which the Commander stated that the Department's Legal Office stated that it would be advisable for the Commission to make a decision as to whether or not the circumstances are such that it warrants the Department to move into that position.

The matter was then continued for one week in order to get a legal opinion from the Legal Office as to the proper format for the Commission to use, by resolution, for making such a declaration.

The Chief then introduced Mr. Jeff Rothman, who is in charge of the Department's Consent Decree Division, to report on the composition of the 1st Recruit Class under this Decree which will commence on November 13th.

Mr. Rothman then stated that the composition of the class will be 52-1/2% minority participation, and 22-1/2% female participation, which will be historical for San Francisco and most major cities in the United States to the extent that it reflects a voluntary Affirmative Action Program and reflects the good faith on the part of all of the parties to the Consent Decree.

He said that on September 27th, Judge Peckham issued a hiring order which directs the Division to hire 160 individuals in rank order from the E91 list which contains some 2100 eligibles. He said that the Judge ordered in addition to the 160 rank order hires, that 30 women will be hired, and finally 9 Chinese speaking candidates, which will result in a total hiring of 199 persons from the current list.

He stated that based on the current rate of waiver and rejection that the total of 199 persons to be hired from list No. E-91 will consist of approximately 65% men, and 35% women, and that 48% of those individuals hired will be non-minority, and 52% will be minority.

He said the Consent Decree Division itself is moving rapidly now to begin a new Q2 entry level examination for the police department and hope by the early part of next year to have a continuous examination and recruitment program so that the department will be able to continually administer academy programs for incoming recruits in the department. He said their target date for the completion of this next examination and availability of the next list of eligibilities for the early part of May, 1980.

The Commissioners then thanked Mr. Rothman and the Chief for their reports.

RESOLUTION NO. 641-79

PERMISSION TO APPLY FOR AND ACCEPT A GRANT ENTITLED
"INTEGRATED CRIMINAL APPREHENSION PROGRAM (ICAP)
POLICE COMPONENT OF THE COMPREHENSIVE CAREER CRIM-
INAL PROGRAM."

RESOLVED, that the Police Commission hereby approves the ICAP grant application and requests the Board of Supervisors to authorize the Chief of Police to apply for, accept and administer a grant of funds from the Law Enforcement Assistance Administration for a project entitled "Integrated Criminal Apprehension Program (ICAP) Police Component of the Comprehensive Career Criminal Program."

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 642-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO FUND
THE OPERATIONS OF THE AUDITOR/MONITOR

RESOLVED, that the Police Commission hereby approves a request for a Supplemental Appropriation in the amount of \$28,465.00 for the support of the Auditor/Monitor.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 643-79

PUBLIC HEARING ON THE ISSUANCE OF A SECOND-HAND
PERMIT, 880 EGBERT STREET, SAN FRANCISCO, CAL-
IFORNIA (AUTO ACCESSORIES) - CONTINUED FROM
THE MEETING OF OCTOBER 31, 1979

WHEREAS, the Police Commission on November 7, 1979, heard the application of Harley D. Rowe, dba "J & H Auto Wrecking," for the issuance of a Second-Hand Dealer Permit at 880 Egbert Street in the City and County of San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and

WHEREAS, written recommendations of approval were submitted from Southeast Police Station, the Department's Auto Section, and other appropriate City agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Section 1237 of the San Francisco Municipal Code (Police Code) does hereby grant to Harley D. Rowe, dba "J & H Auto Wrecking," a Second-Hand Dealer's Permit for the purpose of buying, selling, exchanging, storing or dealing in used or second-hand automobiles, motor vehicles, motorcycles, equipment, storage batteries and parts of automobiles or automobile accessories at 880 Egbert Street, in the City and County of San Francisco.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 644-79

PUBLIC HEARING ON THE ISSUANCE OF AN AUCTIONEER PERMIT, 880 EGBERT STREET, SAN FRANCISCO, (CONTINUED FROM THE MEETING OF OCTOBER 31, 1979)

WHEREAS, the Police Commission on November 7, 1979, heard the application of James F. Payne for the issuance of an Auctioneer Permit at 880 Egbert Street in the City and County of San Francisco; and

WHEREAS, applicant appeared in person and presented oral testimony in support of his application; and

WHEREAS, written recommendations of approval were submitted from Southeast Police Station, and other appropriate City agencies; therefore be it

RESOLVED, that the Police Commission in accordance with the provisions of Sections 1250 and 1253 of the San Francisco Municipal Code (Police Code) does hereby grant to James F. Payne an Auctioneer's Permit for the purpose of buying,

selling, exchanging, storing or dealing in used or second-hand automobiles, motor vehicles, motorcycles, equipment, storage batteries and parts of automobiles or automobile accessories at 880 Egbert Street in the City and County of San Francisco.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 645-79

POLICE OFFICER YVONNE HARBOR - SOUTHEAST POLICE STATION

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Police Officer Yvonne Harbor, Southeast Police Station, as follows:

SPECIFICATION NO. 1

Failure to Preserve the Peace and Arrest Offenders. (Violation of Section 2.03 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Using Profane Language to a Citizen and Failing to Provide the Correct Star Number. (Violation of Section 2.35 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 3

Failing to Make A Written Report of Criminal Conduct. (Violation of Section 2.61 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 4

Neglect of Duty and Conduct Unbecoming and Officer. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 5

Failure to Truthfully Answer
Questions Propounded. (Violation
of Section 2.49 of the Rules and
Procedures of the San Francisco
Police Department.)

by Charles R. Gain, Chief of Police; therefore
be it

RESOLVED, that the hearing before the
Police Commission on charges filed against Police
Officer Yvonne Harbor, Southeast Police Station,
be, and the same is hereby set for Wednesday, Jan-
uary 16, 1980 at 5:30 p.m., in Room 551, Hall of
Justice.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

Mr. Lawrence Wilson, at this point, stated to
the Commission that he wanted to bring up an item
that was not on tonights calendar, and that he and
Mr. Stephen Bruce Bley would like to set a date
for it, and that is the Andrew Citizen and Dennis
McCaffrey hearing.

After some discussion on setting it for the 21st
or 28th, the matter was then set to be heard on
Wednesday, November 21, 1979, at 5:30 p.m.

CONTINUATION OF THE HEARING OF POLICE OFFICER
MICHAEL KELLY, PARK POLICE STATION

The matter of the hearing of Police
Officer Michael Kelly, Park Police Station, was
called, it having been continued from the meet-
ing of October 8, 1979.

Police Officer Michael Kelly appeared
in person and was represented by Mr. Stephen
Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law,
appeared as the Prosecutor for the Police Depart-
ment.

The following-named witnesses appeared
for the Prosecution, were sworn and testified:

Mr. Bruce Paul
1175 Keith Street
Berkeley, California

Police Officer Robert Gin
Richmond Police Station

Police Officer Dolores J. Cazazza
Richmond Police Station

The following-named witnesses were called by the Prosecution, were sworn and testified:

Police Officer Michael Kelly
Park Police Station

Police Officer Daniel Marr
Bureau of Communications

The following-named witness appeared for the Defense, was sworn and testified:

Police Officer Michael Kelly
Park Police Station

The Commission then adjourned at 2130 hours, and the matter was continued to Wednesday, November 14, 1979, at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER DANIEL MARR, BUREAU OF COMMUNICATIONS

The matter of the hearing of Police Officer Daniel Marr, Bureau of Communications, was called, it having been continued from the meeting of October 8, 1979.

Police Officer Daniel Marr, appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Mr. Bruce Paul
1175 Keith Street
Berkeley, California

Police Officer Robert Gin
Richmond Police Station

Police Officer Dolores J. Cazazza
Richmond Police Station

The following-named witnesses appeared for the Prosecution, were sworn and testified:

Police Officer Michael Kelly
Park Police Station

Police Officer Daniel Marr
Bureau of Communications

The following-named witness appeared for the Defense, was sworn and testified:

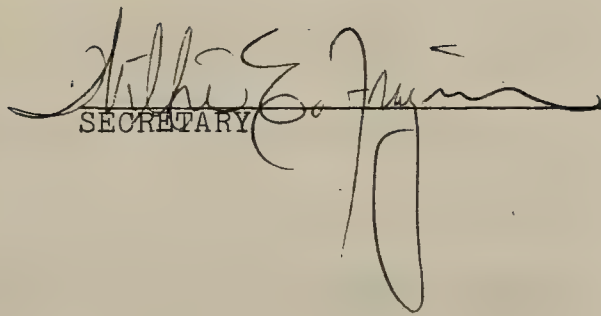
Police Officer Michael Kelly
Park Police Station

The Commission then adjourned at 2130 hours, and the matter was continued to Wednesday, November 14, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

The Commission then adjourned its
meeting at 2130 hours.


SECRETARY

DEC 28 1979

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14 NOVEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 14, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Sanchez, Toler, Siggins

ABSENT: Commissioner Ciani

Commissioner Siggins presiding.

RECOMMENDATION OF THE TRAFFIC BUREAU

845 Bush Street - Hotel Louise.

Commissioner Siggins stated that on item #1 of the Traffic Calendar Officer William Hardiman of the Traffic Survey Division, stated that Commander Seghy, Commander of the Traffic Bureau, has requested that this item be put off calendar for one more week. He stated that they had someone surveying the location for a period of two days, which the Commander felt was not enough time and did not accept the Traffic Survey Division's report on the issue. For that reason, the Commander wanted a more thorough investigation of the hotel's activities to see if the applicant's request was justified.

The applicant, Mr. Gerald Levitin, appeared and presented what he felt was evidence to justify the granting of the requested zone.

The Commission, after receiving this testimony, continued the item for one week and advised Mr. Levitin that he would not have to return to the next meeting on this issue.

Mr. Levitin then stated to the Commission that the Commission was kind enough to make a comment to him last week which happened to hit KCBS Radio, complimenting him, and that he appreciated the Commission's compliment regarding his contribution as far as easing the traffic problems of this city. He continued by saying that he was born in San Francisco and that he has watched Police Commissions come and go and that

it was his feeling that this Commission has had probably the toughest years, and has done the best, and that he just wanted to make that statement.

The Commission then thanked Mr. Levitin and continued the matter one week.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

150-15th STREET - THE SOURCE

- a) At 150-15th Street, install a 22' yellow zone, extending from 90' to 112' east of west property line.

1703 (APPROX) ALAMEDA - THE SOURCE

- a) At 1703 (approx.) Alameda, install a 21' yellow zone, extending from 20' to 41' west of DeHaro.

550 KEARNY STREET - GENERAL SERVICES ADM.
REGION 9

- a) At 550 Kearny Street, install a 23' Blue zone, extending from 25' to 48' south of north building line.
- b) Revoke existing 23' STLZ from 25' to 48' south of north building line.

3140 MISSION STREET - CESAR'S PALACE

- a) At 3140 Mission Street, install a 22' white zone, extending from 22' to 44' south of north building line.
- b) Place sign on meter #MIS 3136 "Passenger Unloading 6 P.M. to 6 A.M."

991 MINNA STREET - WHOLESALE RESOURCE

- a) At 991 Minna Street, install a 49' yellow zone, extending west of building 49' east.

640 PINE STREET - SELF HELP FOR ELDERLY

- a) At 640 Pine Street, install a 44' white zone, extending from 24' to 68' west of east building line.
- b) Remove meters PINE 624 & 622.

901 BATTERY STREET - OFFICE BUILDING (16 UNITS)

- a) At 901 Battery Street, install a 22' yellow zone, extending from 52' to 74' north of south building line.

811-819 VALENCIA STREET - CIRCLE CLUB

- a) At 811-819 Valencia Street, install a 44' white zone, extending from 7' south to 37' north of south property line.
- b) Remove meters VAL 809 & 805.

111 RHODE ISLAND - THE SOURCE

- a) At 111 Rhode Island, install a 22' green zone, extending from 48' to 70' south of north building line.

461 VALENCIA STREET - RAINBOW - DENIED

- a) At 461 Valencia Street, install a 19' yellow zone, extending from 31' to 50' north of south building line. DENIED.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 23 feet of yellow zone, at the part of the City, at the location submitted, be, and the same is hereby approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 646-79

MARIO SCHIANO AND SAVELLI
& CO. INSURANCE

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mario Schiano and Savelli & Company, Insurance, against the City and County of San Francisco in the sum of \$925.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 4, 1979

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 647-79

CALIFORNIA STATE AUTOMOBILE
ASSOCIATION AND DANNY LEM

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association and Danny Lem against the City and County of San Francisco in the sum of \$1,320.76 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: February 26, 1979

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 648-79

TRAVELING EXPENSE VOUCHER - APPROVED

RESOLVED, that the Traveling Expense Voucher submitted by the following-named member of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Sergeant Richard R.) \$811.60 (At a Training
Racine) (Management Course
Personnel and Training) (at San Rafael, Cal-
ifornia, from Octo-
ber 22, 1979 to Novem-
ber 2, 1979, inclusive.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

AUTHORIZING ATTENDANCE OF DEPUTY CHIEF JEREMIAH
P. TAYLOR, ICAP PROGRAM MANAGER LAWRENCE J. FUNK,
AND ICAP INVESTIGATIONS ANALYSIS SUPERVISOR BARBARA
ROSS, AT AN INTEGRATED CRIMINAL APPREHENSION PROGRAM
CLUSTER MEETING IN COLORADO SPRINGS, COLORADO, FROM
DECEMBER 3, 1979 TO DECEMBER 7, 1979; INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Deputy Chief Jeremiah P. Taylor, ICAP Program Manager Lawrence J. Funk, and ICAP Investigations Analysis Supervisor Barbara Ross, be detailed to attend an Integrated Criminal Apprehension Program Cluster Meeting in Colorado Springs, Colorado, from December 3, 1979 to December 7, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Deputy Chief Jeremiah P. Taylor, ICAP Program Manager Lawrence J. Funk and ICAP Investigations Analysis Supervisor Barbara Ross, will be paid by the ICAP Grant.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he would report on a problem that occurred with the commencement of the Department's recruit class yesterday. He stated that several meetings were held in regard to the ratio of minority recruits as opposed to non-minorities being accepted into the class. He stated that he had informed the various parties, OFJ, Public Advocates, SFPOA, of a plan arrived at meetings to bring about this balance of recruits for the class. He said he assumed as did Professor Trives and Captain Shannon, that Mr. Jeff Rothman, the Director of the Consent Decree, had contacted the above-mentioned parties and advised them of the plan. He said that yesterday morning after the swearing in ceremonies at Fremont School, seven officers, all white males, were first informed that they were not going to be admitted to the class but that their class attendance would be deferred until January. He said he contacted Mr. Rothman after this incident had created a furor among the named parties and Mr. Rothman said that because of some discussions he had had with a POA member, that the POA knew about it.

The Chief further stated that, however, it was clear that the Department had not complied with the requirements of the Consent Decree to get active participation of all parties.

He said after several meetings with the Academy Staff, it was concluded that to have more than 40 persons attend the class, the learning environment, along with other factors (4 cited), would adversely be affected. Therefore, the seven white males were withdrawn from the class. He said it is now his intention to alleviate the situation by having a meeting where he would be present and that the names of all male members, all of whom would be present, would be placed in a hat and, at random, six names would be withdrawn. He continued by saying that then those six persons would not attend class but be given assignments within the Department and attend the class that would commence in January.

Commissioner Sanchez then stated that had this information been made known two weeks ago there might have been time to try and salvage this issue. He said the fact that the Chief had given an order and the order wasn't carried out is a matter for the Chief to have an administrative review of the Department's process and procedures there.

He then said that most important at this point is the fact that the Department has gone through this

Consent Decree and its procedures over and over for a number of years, and that yesterday was a very important day in San Francisco's history as far as the San Francisco Police Department goes, because the Department came out with a very creative posture about how the San Francisco Police Department will reflect the diversity of the City and will provide quality law enforcement which, of course, the Department has been doing and it will be increased.

He said to have this number of persons appear, sworn in, and then after the ceremonies advise them that the Department is sorry that they would have to be on a holding pattern, even though they would be on the City Payroll, because there isn't enough room in the class for them is something he could not understand. He said it appeared to him, with his experience in teaching and research both at U.C. and with the S.F. Unified School Board and with the S.F. Community College District, many times there were situations where there were staggered classes, where there were ex-number of students above and beyond the normal desired maximum ratio, but the most important variable in the whole process is not the physical space and the fact that you may have three or four more students, but the attitude of not only the teacher, but the rapport, and the curriculum, and the evaluation and testing are the things that should be considered.

He said that he would move that the Department insure that all 46 candidates be allowed to attend the class and that the Department review, not only the space at the Academy, but review different scheduling programs in order to insure this.

Mr. Bob Barry, President of the SFPOA, commented and then read an excerpt from the Consent Decree which in essence, according to his interpretation, meant all of the parties attend all meetings and participate in making all decisions. He said if they all met all the time there wouldn't be all these delays and the above-mentioned problem would not have occurred.

Commissioner Sanchez then amended his motion to state only that the class be held in context with the full compliment.

Commissioner Murphy then said she would certainly support that with the understanding that the suggestion of rotating and using staggered classes to provide the necessary accommodations for the additional students would be included in the motion.

The motion was then unanimously approved.

Commissioner Siggins then stated to the Chief that the Commission would like to be kept abreast of the matter either through Mr. Rothman, Dr. Trives, or any of the parties to the Consent Decree.

The Commissioners, having received, amended and returned copies of the minutes of the meetings of October 8, 1979 and October 17, 1979, the reading of the minutes was dispensed with and the minutes were approved.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RECEIPT OF PROPOSED GENERAL ORDER REGARDING MOTOR VEHICLE FUEL AND OIL DISTRIBUTION, (COPIES SENT TO EMPLOYEE ORGANIZATIONS) - CONTINUED TO THE MEETING OF NOVEMBER 28, 1979.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION COMMENDING THOSE OFFICERS INVOLVED, FOR THE PERFORMANCE OF EXEMPLARY POLICE DUTY IN THE NEUTRALIZATION OF A SNIPER AT NINTH AND MARKET STREETS ON OCTOBER 5, 1979 AND OCTOBER 6, 1979.

Commissioner Siggins stated that the Commission had asked the Chief to prepare an adequate letter of Commendation for the Commission to consider for those officers involved in the sniper incident on October 5th and 6th, 1979.

Chief Gain then suggested changing the wording in the resolution on this matter that is now before the Commission. He said that after further thought he would rather that the wording be, "That the Police Commission commends the below named officers, (to be named later), for exemplary police

duty in the neutralization of the sniper incident." He then stated that after that there should be a brief paragraph describing what that incident was. He said if the Commission would adopt that type of resolution then the Department would prepare the appropriate wording so that it comes from the Commission, and the Department would print numbers of copies for distribution throughout the police department. But he said it is the Commission doing the commending, giving the reason for it, and naming the officers. He said if the Commission can adopt the essence of that then he would implement it.

The motion to do this was then made by Commissioner Murphy and seconded by Commissioner Toler and unanimously approved.

RESOLUTION NO. _____

RESOLVED, that the Police Commission hereby commends the below named officers as recommended by the Chief of Police for the performance of exemplary police duty in the neutralization of a sniper at Ninth and Market Streets on October 5-6, 1979.

AYES: Commissioners Toler, Sanchez, Murphy, Siggins

NOT VOTING: Commissioner Ciani

Commissioner Sanchez then suggested that Officer Henry Friedlander draft a News Release that could go out to all of the neighborhood newspapers, speaking of this incident and subsequent Commission Commendation for the officers in a brief paragraph or two. He said the policing of this incident was a job well done, albeit, everyone in the city knew about it, and to hear that some constructive action was taken and that it's disseminated from the department, would be most appropriate.

Chief Gain stated that that was a good idea, and that what could be done is the Department could take this document that is written and it could be used as the basis for dissemination.

Commissioner Siggins then said that while the Commission was on that subject he thought they should comment Deputy Mayor Hadley Roth for his excellent piece of journalism in connection with the Sniper incident. Mr. Roth was also at the scene in his official capacity with the Mayor. Commissioner Siggins continued by saying that Deputy Mayor Roth

wrote a story that Roth felt had to be written, and it was an excellent article written for the San Francisco Examiner on the following Monday. This article the Commissioner said, appeared to come from the heart.

A motion was made to this effect and it was unanimously approved.

Commissioner Sanchez then stated that he just wanted to cite for the record, that the President of the Police Commission, Commissioner Richard J. Siggins, was also there during the sniper incident and was a key morale force along with the Mayor who spent many hours there and that the Commission should also be cognizant of this fact, as it was not mentioned, but he said, Commissioner Siggins spent many, many hours away from his family, on the scene with the Department in that incident, which could have turned into a traumatic situation.

He continued by saying that on behalf of the Commission he was glad that the Commission was so aptly represented by Commissioner Siggins.

RESOLUTION NO. 649-79

RECOMMENDATION OF THE CHIEF OF POLICE THAT THE POLICE COMMISSION ADOPT A RESOLUTION COMMENDING THOSE OFFICERS INVOLVED, FOR THE PERFORMANCE OF EXEMPLARY POLICE DUTY IN THE NEUTRALIZATION OF A SNIPER AT NINTH AND MARKET STREETS ON OCTOBER 5th AND 6th, 1979.

RESOLVED, that the Police Commission hereby commends the below named officers as recommended by the Chief of Police for the performance of exemplary police duty in the neutralization of a sniper at Ninth and Market Streets on October 5th and 6th, 1979.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

RECOMMENDATION OF THE AWARDS COMMITTEE - APPROVED

Commissioner Sanchez then stated that he had the option of chairing the recent Medal of Valor Awards and that a number of these cases involved situations whereby weapons were drawn on the men and women in the Department and the unbelievable amount of restraint that these officers have shown in crisis situations such as these, he felt, is really to be commended. He said all of the members of the Awards Committee felt that this was one characteristic that showed above and beyond, especially when there is so much talk about various law enforcement agencies shooting too often, and too much, and too little trained. He said here we have situations where, perhaps, by all justifications shots could have been fired, but they weren't, because of the restraint, training and dedication of the S.F.P.D. members.

Commissioner Murphy then added that she has just received a two volume report from Commissioner Toule, a Los Angeles Police Commissioner, about the shooting incidents of police in that town. She said she responded by thanking her very much and was grateful for this city that the SFPD had no such occurrences, noting that this Department, in that regard, is very fortunate.

Commissioner Sanchez then moved for approval of the awards as listed below:

RESOLUTION NO. 650-79

RECOMMENDATION OF THE AWARDS COMMITTEE - APPROVED

RESOLVED, that the following-named members of the Police Department, be, and they are hereby granted Awards of Valor-Silver Medal and Bronze Medal, under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department, as approved by the Awards Committee on Friday, November 9, 1979:

Police Officer Robert J.
Del Torre.....Silver Medal of Valor

Police Officer John R.
Hennessey.....Silver Medal of Valor

Police Officer John F. Murphy.Silver Medal of Valor

Police Officer Michael A.
McElligott.....Silver Medal of Valor

Police Officer Richard T.
Oakes.....Silver Medal of Valor

Police Officer Steven R.
Sillers.....Silver Medal of Valor

Police Officer Joaquin G.
Santos.....Silver Medal of Valor

Police Officer James S.
Sweeney.....Silver Medal of Valor
(Trans. to Fire Dept.)

Sergeant Owen A. Kenny.....Bronze Medal of Valor

Sergeant William L. Petrie.....Bronze Medal of Valor

Sergeant David R. Winn.....Bronze Medal of Valor

Police Officer Anthony J.
Carreon.....Bronze Medal of Valor

Police Officer Ernest A.
Ferrando.....Bronze Medal of Valor

Police Officer Kevin Gotchet..Bronze Medal of Valor

*Police Officer Richard P.
Hesselroth.....Bronze Medal of Valor

Police Officer Jay P. Holle...Bronze Medal of Valor

*Police Officer Henry L. Kirk..Bronze Medal of Valor

Police Officer Michael D. Lee..Bronze Medal of Valor

Police Officer James E.
Ludlow.....Bronze Medal of Valor

Police Officer Paul F.
Makaveckas.....Bronze Medal of Valor

Police Officer Jeremiah W.
Morgan.....Bronze Medal of Valor

Police Officer Jeffrey A.
Morlock.....Bronze Medal of Valor

Police Officer Edward B.
McDonough.....Bronze Medal of Valor

Police Officer Michael A.
McElligott.....Bronze Medal of Valor

Police Officer Mary R. Nilan..Bronze Medal of Valor

Police Officer John C. Payne..Bronze Medal of Valor

Police Officer Michael F.
Pearson.....Bronze Medal of Valor

Police Officer Walter L.
Pinosky.....Bronze Medal of Valor

Police Officer Mark A. Potter.Bronze Medal of Valor

*Awarded two Bronze Medals of Valor

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 651-79

REWARDS GRANTED TO MEMBERS OF THE POLICE DEPARTMENT.

WHEREAS, the following-named members of the Police Department have been commended for courageous service under the provisions of Section 5.119 and 5.131 of the Rules and Procedures of the San Francisco Police Department at a meeting of the Police Commission held on Wednesday, November 14, 1979; and

WHEREAS, Chief of Police Charles R. Gain, has recommended to the Police Commission that the said members be rewarded under the provisions of Section 8.405(a)(4) of the Charter of the City and County of San Francisco; therefore be it

RESOLVED, that Police Officers Robert J. Del Torre, John R. Hennessey, John F. Murphy, Michael A. McElligott, Richard T. Oakes, Steven R. Silvers, Joaquin G. Santos, and James S. Sweeney (Trans. to Fire Dept.) be, and they are hereby awarded Silver Medals of Valor and granted a reward of \$100.00 each, as provided for under said section of the Charter; and be it further

RESOLVED, that Sergeant Owen A. Kenny, Sergeant William L. Petrie, Sergeant David R. Winn, Police Officers Anthony J. Carreon, Ernest A. Ferrando, Kevin Gotchet, Richard P. Hesselroth (awarded two (2) Bronze Medals of Valor), Jay P. Holle, Henry L. Kirk (awarded two (2) Bronze Medals of Valor), Michael D. Lee, James E. Ludlow, Paul F. Makaveckas, Jeremiah W. Morgan, Jeffrey A. Morlock, Edward B. McDonough, Michael A. McElligott, Mary R. Nilan, John C. Payne, Michael F. Pearson, Walter L. Pinosky, and Mark A. Otter, be, and they are hereby awarded Bronze Medals of Valor, and granted a reward of \$50.00 each, as provided for under said section of the Charter.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 652-79

STATUS REPORT IN THE MATTER OF POLICE OFFICER
ROBERT MULRY, SUPPORT SERVICES-PROPERTY CLERK'S
OFFICE.

WHEREAS, the status report in the matter of Police Officer Robert Mulry, Support Services-Property Clerk's Office, was called; and

WHEREAS, it was requested by Police Officer Robert Mulry that his status report before the Police Commission be continued as he did not receive notification until three hours before the Police Commission meeting, and would be unable to appear; therefore be it

RESOLVED, that the status report in the matter of Police Officer Robert Mulry, Support Services-Property Clerk's Office, is set for Wednesday, November 21, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

SHOW CAUSE HEARING OF SERGEANT JAMES WERTZ, SUPPORT
SERVICES-COMMUNICATIONS.

The Show Cause Hearing of Sergeant James Wertz, Support Services-Communications, was called, it having been set for this date. Sergeant James Wertz was accused of violating the terms of his probation as follows:

Pursuant to Police Commission Resolution No. 483-79, the Police Commission sustained four charges against Sergeant Wertz for conduct arising out of his alcohol consumption. For three of these charges he was suspended for ninety (90) calendar days. For the other, he was terminated as a member of the San Francisco Police Department; however, the termination order was suspended under the condition that he completely and totally abstain from alcohol for one (1) year and attend alcohol abuse meetings as directed by Officer John Devine, Special Assistant to the Chief of Police. Officer Devine reports that Sergeant Wertz has:

- 1.- Failed to abide by the first condition. This condition was that he attend three Alcoholics Anonymous meetings per week and shall contact the Officer-in-Charge of the Alcohol Abuse Program daily.

in a letter to the Commission from Charles R. Gain, Chief of Police.

Sergeant James Wertz appeared in person and was represented by Sergeant Michael Hebel, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, Legal Office, appeared as the Prosecutor for the Police Department.

Opening statements were made by Charles R. Gain, Chief of Police, and Sergeant Michael Hebel, Attorney for the Defense.

The following-named witness was called by the Prosecution, duly sworn and testified:

Police Officer John F. Devine
Special Assistant to the Chief of Police

The following-named witness was called by the Defense, duly sworn and testified:

Sergeant James Wertz
Support Services-Communications

The following Exhibit was entered into Evidence by the Defense:

Exhibit "A" - A letter "To Whom it May Concern," dated November 14, 1979, from Edward C. Powell, Business Representative, International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators, Local 16, re: Sergeant James Wertz.

Closing statements were then made by Sergeant Michael Hebel, and Lawrence Wilson.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 653-79

DECISION - SHOW CAUSE HEARING OF SERGEANT JAMES WERTZ, SUPPORT SERVICES-COMMUNICATIONS

WHEREAS, on November 9, 1979, Charles R. Gain, Chief of Police, submitted a letter to the Police Commission informing the Commission that Sergeant James Wertz had violated one of the five probationary requirements imposed upon him at the Police Commission meeting of August 1, 1979, as follows:

- 1.- Attend alcohol abuse meetings as directed by Officer Devine;
- 2.- Completely abstain from alcohol;
- 3.- Submit to sobriety test when ordered;
- 4.- Subject himself to daily observation by a superior officer to determine if he had been drinking and is sober;
- 5.- Have no alcoholic beverages in his home.

These terms and conditions were re-stated and clarified in a written agreement signed by Sergeant James Wertz on August 9, 1979; and

WHEREAS, the Chief requested that the Police Commission set a hearing date on an Order to Show Cause why the suspension of the imposition of penalty should not be lifted, and Sergeant James Wertz terminated pursuant to Resolution No. 483-79; and

WHEREAS, a hearing on this request was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, November 14, 1979, and that on Wednesday, November 14, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that Sergeant James Wertz has failed to adhere to the terms and conditions of his probation and to the Agreement he signed August 9, 1979, by the evidence presented at the hearing; therefore be it

RESOLVED, that it is the order of the Police Commission that Sergeant James Wertz has

violated the terms and conditions of his probation, along with the Agreement he signed August 9, 1979; and be it further

RESOLVED, that it is the order of the Police Commission that for said violation, that Sergeant James Wertz be terminated from the San Francisco Police Department, effective at 2045 hours Wednesday, November 14, 1979.

Recesses taken during the hearing of Sergeant James Wertz:

2020 hours to 2027 hours.
2038 hours to 2045 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

CONTINUATION OF THE HEARING OF POLICE OFFICER
MICHAEL KELLY, PARK POLICE STATION

The matter of the hearing of Police Officer Michael Kelly, Park Police Station, was called, it having been continued from the meeting of November 7, 1979.

Police Officer Michael Kelly appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witness appeared for the Prosecution, duly sworn and testified:

Katherine Miller
4104 Seaview Drive
Los Angeles, California

Katherine Miller was represented by Amy Oppenheimer, who was present during her testimony.

The following-named witness appeared for the Defense, duly sworn and testified:

Carl Yoshida, Bartender
Hearth Bar
11th Avenue & Geary Boulevard
San Francisco, California

The following Exhibit was entered into Evidence by the Prosecution:

Exhibit "L" - Color photograph of left hand of Katherine Miller.

The Commission then adjourned at 2212 hours, and the matter was continued to Wednesday, November 21, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

CONTINUATION OF THE HEARING OF POLICE OFFICER DANIEL MARR, BUREAU OF COMMUNICATIONS

The matter of the hearing of Police Officer Daniel Marr, Bureau of Communications, was called, it having been continued from the meeting of November 7, 1979.

Police Officer Daniel Marr appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witness appeared for the Prosecution, duly sworn and testified:

Katherine Miller
4104 Seaview Drive
Los Angeles, California

Katherine Miller was represented by Amy Oppenheimer, who was present during her testimony.

The following-named witness appeared for the Defense, duly sworn and testified:

Carl Yoshida, Bartender
Hearth Bar
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(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting at 2212 hours.


SECRETARY

21 NOVEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 21, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Murphy, Sanchez, Toler, Siggins

DOCUMENTS DEPT.

ABSENT: Commissioner Ciani

DEC 28 1979

Commissioner Siggins presiding.

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PRESENTATION OF AWARDS TO MR. BOB LURIE OF THE
SAN FRANCISCO GIANTS AND MR. WILLIAM DWYER OF
KNBR RADIO.

Lieutenant Frank Jordan, Crime Prevention Division, speaking in regard to this presentation stated that in approximately June of this year, the San Francisco Police Department contacted the owner of the Giants, Mr. Robert Lurie, and also the Vice President and General Manager of KNBR radio station, Mr. Richard Dwyer, and asked for some assistance in the Crime Prevention Program. He stated that they asked for their support in crime prevention trading cards, the idea being that many juveniles have collections of all kinds of sports heroes and they could relate to many of the sports heroes in the San Francisco Bay Area, so the Crime Prevention Division asked Mr. Lurie and Mr. Dwyer if they could provide some monetary assistance as well as their own background support to the San Francisco Police Department to produce the trading cards of every single San Francisco Giant baseball player. It was suggested that on the back of the cards there would be a baseball tip and also included would be a Crime Prevention message. Both organizations, he stated, Giants and KNBR were very enthusiastic and contributed \$6,000 each and produced 900,000 of the cards. They also publicized it all over the bay area. He said 30 different police departments became involved in this particular venture and the efforts of the Giants management and KNBR radio were tremendously appreciated.

Commissioner Siggins then stated that this idea, along with Mr. Lurie and Mr. Dwyer's efforts, could be called truly a Grand Slam. He stated that they were all kids once themselves and when a police officer can pass out a baseball card with some baseball and crime prevention tips it is a really nice thing.

He then commended Officer Dennis Schardt, also of the Crime Prevention Division, for coming up with the idea and continued by saying that on behalf of the Mayor and the Commission thanked Mr. Lurie and Mr. Dwyer for their tremendous efforts in bringing this program to fruition.

Commissioner Sanchez stated that when you talk about prevention you not only talk about the men and women in the Police Department but the ability to relate to not only the young people, but to the senior citizens also. He continued by saying that both men have been instrumental in providing options for young and old throughout the Baseball Season. He said he had seen many groups from throughout the bay area, young, senior, handicapped, who were able to go to the park and see some outstanding games from not just out in the bleachers but from some really excellent seats.

He then said, again, on behalf of the Commission that he thanked the both of them and also thanked them on behalf of the young kids and senior citizens for a job well done.

Commissioner Toler and Commissioner Murphy both echoed the previous remarks made by Commissioner Siggins and Commissioner Sanchez.

The awards (Plaques) were then presented to Mr. Lurie and Mr. Dwyer.

RECOMMENDATION OF THE TRAFFIC BUREAU

Commissioner Siggins stated that on the traffic matter of the Hotel Louise that the Commission had considered the fact that you cannot very well operate a hotel if you do not have a white zone.

Officer William Hardeman stated that Traffic Division Personnel had observed the activities at that location and did not feel that at this time a white zone would be justified.

Commissioner Murphy stated that the fact that it isn't being used now does not mean it would not be needed as business will certainly increase, it would be just a matter of time until it is used.

Commissioner Sanchez stated that he would go along

with Commissioner Murphy's suggestion and if there doesn't seem to be sufficient traffic or utilization of that zone then it could be brought back and reconsidered.

A motion was then made by Commissioner Murphy to grant a 22 foot white zone in front of the Louise Hotel at 845 Bush Street, with the understanding that if it is found within 6 or 8 months time that it is being underused, then the white zone would be revoked, and also included in this motion would be approval of the revocation of the yellow zones as recommended by the Department.

It was seconded by Commissioner Sanchez and unanimously approved.

RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

845 BUSH STREET - HOTEL LOUISE

- a) At 845 Bush Street, install a 44' white zone, extending from 12' to 56' east of the west building line.
- b) Revoke existing 44' STLZ, remove meters BUS. 821 and 823, and 12' yellow zone in front of 835 Bush Street.

225-30th STREET - S.F. HOME HEALTH SERVICE

- a) At 225-30th Street, install a 22' white zone, extending from 22' to 44' east of west building line, extending present 22' white zone to 44'.

3001 SACRAMENTO STREET - SILVER FOX CLEANERS

- a) At 3001 Sacramento Street, install a 22' green zone, extending from 9' to 31' west of east building line.

360-5th STREET -- CENTRAL CITY HEAD START

- a) At 360-5th Street, install a 22' white zone, extending from 13' to 35' north of south property line.
- b) Remove meter #5th-338.

182-6th AVENUE - RICHMOND MARKET

- a) At 182-6th Avenue, install a 22' green zone, extending from 27' to 49' south of north building line.

206 LAGUNA STREET - GREEN GULCH GREENGROCER

- a) At 206 Laguna Street, install a 22' yellow zone, extending from 30' to 52' south of north property line.
- b) Revoke existing 22' green zone.

1350-43rd AVENUE - S.F.P.D.

- a) At 1350-43rd Avenue, revoke existing 51' white zone, extending from 27' to 78' north of south property line.
- b) Remove school bus zone signs.

1350-43rd AVENUE - S.F.P.D.

- a) At 1350-43rd Avenue, revoke existing 138' white zone, extending south of the north property line.
- b) Remove school bus zone signs.

1820 CLEMENT STREET - VEGI FOOD CHINESE
VEGETARIAN - DENIED

- a) At 1820 Clement Street, install a 22' white zone, extending 22' west of east property line. DENIED.

AYES: Commissioners Murphy, Sanchez, Toler,

NOT VOTING: Commissioner Ciani

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 211 feet of white and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 654-79

KING HEE WONG

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of King Hee Wong against the City and County of San Francisco in the sum of \$70.65 as the result of damages sustained, be, and the same is hereby approved.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 657-79

LOUIS M. CEJA

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Louis M. Ceja against the City and County of San Francisco in the sum of \$528.41 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 29, 1979

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 658-79

ROD TETER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Rod Teter against the City and County of San Francisco in the sum of \$796.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: October 4, 1979

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 655-79

CHARLES B. JOHNSON, NAKO JOHNSON
AND ROBERT W. ISON AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Charles B. Johnson, Naoko Johnson and Robert W. Ison and their attorney in the sum of \$1,250.00 in Superior Court Action No. 650-832 entitled "Charles B. Johnson, Naoko Johnson and Robert W. Ison and their attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 30, 1972

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 656-79

VERNIS ROSS AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation

of Vernis Ross and his attorney in the sum of \$3,000.00 in Superior Court Action No. 735-548 . entitled "Vernis Ross and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: June 30, 1972

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 659-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000.00 charging same to Firm No. 355081 2010 133 01 as an advance on the Police Narcotic Fund for the month of November, 1979.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 660-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of November, 1979.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 661-79

TRAVEL EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Lionel Hess,	)	\$632.00	(At a Middle
Southern Station	)	each	(Management Train-
	)		(ing Course at San
Lieutenant George Lockhart,	)		(Diego, California,
Mission Station	)		(from September 24,
	)		(1979 to October 5,
Lieutenant Robert Kafka,	)		(1979, inclusive.
Southeast Station)		
)		
Lieutenant Lewis Werle,)		
Support Services)		

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 662-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant John Jordan)	\$490.00	(At the National
Investigations	) Each	(Homicide Symposium
	)	(at San Diego, Calif-
Inspector Ora Guinther)		(ornia, from October
Investigations	)	(22, 1979 to October
		(26, 1979, inclusive.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 663-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same is hereby approved:

Police Officer George)	\$528.00	(At a Narcotics In-
Hood, Vice Crimes-)	each	(vestigators Course
Narcotics)		(at Sacramento, Cal-
)		(ifornia, from Octo-
Police Officer Samuel)		(ber 14, 1979 to Octo-
R. Osborne, Vice)		(ber 26, 1979, in-
Crimes-Narcotics)		(clusive.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 664-79

AUTHORIZING ATTENDANCE OF DR. MIMI H. SILBERT, TRAINING CONSULTANT, LIEUTENANT RICHARD D. KLAPP AND SERGEANT MICHAEL S. HEBEL, PERSONNEL AND TRAINING, AT THE BASIC COURSE REVISION CONSORTIUM WORKSHOP AT SACRAMENTO, CALIFORNIA, FROM NOVEMBER 27, 1979 TO NOVEMBER 29, 1979, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Dr. Mimi H. Silbert, Training Consultant, Lieutenant Richard D. Klapp and Sergeant Michael S. Hebel, Personnel and Training, be detailed to attend the Basic Course Revision Consortium Workshop at Sacramento, California, from November 27, 1979 to November 29, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Dr. Silbert, Lieutenant Klapp and Sergeant Hebel, in a sum not to exceed \$92.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 665-79

AMENDING SUPPLEMENTAL APPROPRIATION RESOLUTION NO. 585-79 TO INCREASE EXPENSES FOR EACH SEMINAR TO A MAXIMUM OF \$10,500 FROM THE ORIGINAL REQUEST OF \$7,500 FOR TRAINING OF 140 FIELD TRAINING OFFICERS INSTEAD OF 120

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO INCREASE EXPENSES FOR EACH SEMINAR TO A MAXIMUM OF \$10,500.

RESOLVED, that the Police Commission hereby approves the request to increase expenses for each seminar to \$10,500 in order to provide for the additional volume of trainees.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

Deputy Chief DeAmicis stated that there was no Chief's Report tonight.

Commissioner Siggins then asked for information regarding a sale of some Department Motorcycles that the Department was supposed to answer for him. He said Supervisor Molinari wanted him to answer the questions but since he had not received the response he was unable to do so.

Deputy Chief DeAmicis stated that he did remember the Commissioners request and that he would make sure the Commissioner receives it next week.

Commissioner Sanchez stated that he had inquired in the last few weeks about the utilization of the surplus vespas and found that the Department has already turned in a significant number of vespas and that they had been sold. He said it was his understanding that if there were other city agencies that had needs for this, such as their utilization by the Environmental Officers, that they would be ideal for their use.

Deputy Chief DeAmicis said that that question was relative to material in the Chief's written reports in the binders wherein a report on that subject stated that the Department gave the vespas to the various other para-police units of the city.

Commissioner Sanchez then stated that the Environmental Officers were down 50% of their allowed compliment of personnel. He stated that he was wondering what the time frame was as far as getting these positions filled?

Deputy Chief DeAmicis stated that he would have that information at the next meeting, but did feel, he stated, that some of those positions were CETA funded and because of the cut in the CETA Program, this had created vacancies of which he was now speaking.

Commissioner Sanchez then stated that he wondered how the first week of the Academy went with the full compliment of officers in attendance?

Deputy Chief DeAmicis stated that a report from Captain Shannon is that all is going quite well with the full compliment of 46 officers in attendance.

Commissioner Murphy then asked if the Department had received replacements for the CETA employees lost in the last few months?

Deputy Chief DeAmicis stated no, that we had only gotten partial replacements, and when they are replaced they are only going to be replaced on a 4/4 plan, which means work four and go to training school four hours.

The Commissioners, having received, amended and returned copies of the minutes of the meeting of October 24, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

TWO SERVICE FOR THE SAN FRANCISCO POLICE DEPARTMENT

Commissioner Siggins stated that the Commission recognized the fact that there is an emergency as far as abandoned vehicles are concerned in San

Francisco, in accordance with a report submitted by Commander Seghy two weeks ago. He then asked if there was anyone from the Department to speak to this issue.

Mr. Lawrence Wilson stated that Mr. Byrne, who prepared the resolution, was not present tonight but had briefed him on the subject. He then explained the various legal ramifications of the proposed resolution.

Commissioner Murphy stated that she did not understand the resolution in that the Department as stated therein could take it on its own to go about towing vehicles in a manner it deemed appropriate. She said she felt it should request the Board of Supervisors to give the Commission some tools with which to remove these unsightly vehicles from the city streets. She stated that it seemed to her that it would be necessary to have a resolve in there that the Department will continue with its present plan as best as it can, which doesn't really solve the matter, and the second thing would be to go to the Board of Supervisors and ask them for the wherewithall in order to solve the problem permanently. She said she would like to move that the Department prepare a resolution like that for next week to be considered at that time.

Commissioner Siggins agreed and stated that it should be pointed out to Commander Seghy that the Commission is ready to vote on some kind of an emergency measure. He stated that he would like to have, at next week's meeting, some of the people who know something about this problem. He said he didn't think the Commission should be discussing this matter in a vacuum. He said the Commission wants to know what is being done, if the Purchaser of Supplies has been working on this issue, and if there is anything the Commission can do to help move it along.

The matter was then continued for one week.

RESOLUTION NO. 666-79

REQUEST FOR A SUPPLEMENTAL RE-APPROPRIATION FOR
HOLIDAY PAY.

RESOLVED, that the Police Commission hereby approves a request for a Supplemental Re-appropriation in the amount of \$86,234 which will be used to provide funds for holiday pay for sworn

and civilian members of the Department.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

BOB BARRY

The Commission then acknowledged SFPOA President, Mr. Bob Barry's request to address the Commission.

Mr. Barry stated that Supervisor Gordon Lau has asked him to present a commendation to the Police Department and apologized for not being able to be present at the Commission Meeting tonight. Mr. Barry continued by saying the Commendation was dated October 16th, 1979, and that it had just come out of the paper work shuffle at City Hall. He then read its contents which were as follows: "COMMENDATION, be it known that at the meeting of the Board of Supervisors held on Tuesday, October 9, 1979, on motion by Supervisor Gordon J. Lau, unanimously adopted by the Board the following Commendation was authorized: "Hostage Negotiation Team San Francisco Police Department; In grateful recognition of the dedicated, tireless and highly professional work demonstrated by the team which resulted in the capture of an extremely dangerous criminal who had taken a hostage and fired many bullets from the State Compensation Insurance Fund Building on Market Street endangering the lives of many persons in the area. Their efforts reflected great credit on the Team on the Police Department and on the City and County of San Francisco."

Mr. Barry then presented it to Commissioner Siggins.

Commissioner Siggins on behalf of the Commission thanked Supervisor Gordon Lau.

Deputy Chief DeAmicis then stated that he would see that there is wide distribution of this commendation to the members of the Department.

RESOLUTION NO. 667-79

STATUS REPORT IN THE MATTER OF POLICE OFFICER
ROBERT C. MULRY, SUPPORT SERVICES-PROPERTY CON-
TROL DIVISION.

WHEREAS, the hearing of Police Officer

Robert C. Mulry, Support Services-Property Control Division, was called; and

WHEREAS, Stephen Bruce Bley, Attorney at Law, who is representing Police Officer Robert C. Mulry, Support Services, Property Control Division, has requested that the hearing before the Police Commission be set for Wednesday, January 2, 1980; therefore be it

RESOLVED, that the date for the hearing of the charges filed against Police Officer Robert C. Mulry, Support Services, Property Control Division, is set for Wednesday, January 2, 1980 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NOT VOTING: Commissioner Ciani

CONTINUATION OF THE HEARING OF POLICE OFFICER
MICHAEL KELLY, PARK POLICE STATION

The matter of the hearing of Police Officer Michael Kelly, Park Police Station, was called, it having been continued from the meeting of November 14, 1979.

Police Officer Michael Kelly appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witness appeared for the Prosecution, duly sworn and testified:

Sergeant Robert Dennison
Internal Affairs Bureau

The following-named witnesses appeared for the Defense, duly sworn and testified:

Lieutenant Diarmuid Philpott
Vice Crimes Division

Police Officer Daniel Marr
Support Services-Communications

Closing statements were then made by
Mr. Stephen Bruce Bley and Mr. Lawrence Wilson.

The Commission took the matter under
submission after which the following resolution
was adopted:

RESOLUTION NO. 668-79

DECISION - HEARING OF POLICE OFFICER MICHAEL
KELLY, PARK POLICE STATION

WHEREAS, on May 2, 1979, Charles R.
Gain, Chief of Police, made and served charges
against Police Officer Michael Kelly, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein
Officer Michael Kelly was, and now
is, a police officer employed by
the City and County of San Fran-
cisco and assigned to the Vice
Crimes Division;
- b) On March 30 and 31, 1979, the ac-
cused and several other men were
passengers on a motorized cable
car which arrived at the vicinity
of Geary Boulevard and 11th Avenue
in the City and County of San Fran-
cisco at about midnight;
- c) Shortly after midnight, in the early
morning hours of March 31, 1979, a
group of men including the accused
walked to a bar named "Peg's Place"
on Geary Boulevard between 11th and
12th Avenues. As the group approached
Peg's Place, members were drinking
beer and members stated words to the
following effect: "let's go to Peg's
Place; let's get the dikes.";
- d) When the group of men including the
accused reached Peg's Place, they
were told by an employee thereof
that they could not enter because
of their intoxicated condition and

because they refused to pay the cover charge. One of the members of the group said to the employee words to the following effect: "We are the police; we can do any damn thing we want to do." The employee was able to close and lock the door with the group of men outside;

- e) Thereafter, the door was reopened to admit known patrons; at this time the accused and another man entered the bar;
- f) The aforesaid conduct and the fact that the accused is a member of the San Francisco Police Department has become known to members of the general public;
- g) By participating in the aforesaid conduct, the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

2.13 - "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) Paragraph (a) of Specification No. 1 is incorporated by reference as if fully stated;
- b) Shortly after midnight, in the early hours of March 31, 1979, the accused entered a bar known as "Peg's Place" in the City and County of San Francisco;

- c) By using excessive force on the person of another as aforesaid, the accused violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department which states:

2.13 - "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 4

- a) Paragraphs (a) through (c) of Specification No. 2 are incorporated by reference as though fully stated;
- b) On April 5, 1979, the accused was interviewed concerning his conduct at Peg's Place on March 31, 1979, by an investigator of the San Francisco Police Department Internal Affairs Bureau, who had been assigned by lawful authority to investigate the incident at Peg's Place;
- c) In the course of this interview the accused stated that Erlinda Symaco pushed and hit him before he used any force on her;
- d) The aforesaid statement by the accused was untruthful;
- e) By making said untruthful statement the accused violated Section 2.49 of the Rules and Procedures of the San Francisco Police Department which states:

2.49 - "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, hearings on said charges were had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Monday, September 10, 1979, Monday, September 27, 1979, Monday, October 8, 1979, Wednesday, November 7, 1979, Wednesday, November 14, 1979, Wednesday, November 21, 1979, and that on Wednesday, November 21, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Michael Kelly, as contained in Specifications No. 1, No. 2, and No. 3, are sustained by the evidence presented at the hearing and that Police Officer Michael Kelly violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Michael Kelly as contained in Specification No. 4 are sustained by the evidence presented at the hearing and that Police Officer Michael Kelly violated Section 2.49 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Michael Kelly has violated Specification No. 1, Section 2.13, Specification No. 2, Section 2.13, and Specification No. 3, Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Michael Kelly has violated Specification No. 4, Section 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police

Commission that for violation of Specification No. 1, Section 2.13,, Specification No. 2, Section 2.13, and Specification No. 3, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, Police Officer Michael Kelly be suspended for sixty (60) calendar days without pay; and be it further

RESOLVED, that it is the order of the Police Commission that for violation of Specification No. 4, Section 2.49 of the Rules and Procedures of the San Francisco Police Department, Police Officer Michael Kelly be suspended for thirty (30) calendar days without pay, and be it further

RESOLVED, that it is the order of the Police Commission that the above suspensions are to run consecutively, commencing at 0001 hours, Thursday, November 22, 1979 to Tuesday, February 19, 1980 at 2400 hours.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Sanchez, Toler, Siggins

VOTED FOR TERMINATION: Commissioner Murphy

NOT VOTING: Commissioner Ciani

CONTINUATION OF THE HEARING OF POLICE OFFICER DANIEL MARR, SUPPORT SERVICES-COMMUNICATIONS DIVISION

The matter of the hearing of Police Officer Daniel Marr, Support Services-Communications Division, was called, it having been continued from the meeting of November 14, 1979.

Police Officer Daniel Marr appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witness appeared for the Prosecution, duly sworn and testified:

Sergeant Robert Dennison
Internal Affairs Bureau

The following-named witnesses appeared for the Defense, duly sworn and testified:

Lieutenant Diarmuid Philpott
Vice Crimes Division

Police Officer Daniel Marr
Support Services-Communications
Division

Closing statements were then made by Mr. Stephen Bruce Bley and Mr. Lawrence Wilson.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 669-79

DECISION - HEARING OF POLICE OFFICER DANIEL MARR,
SUPPORT SERVICES-COMMUNICATIONS DIVISION

WHEREAS, on April 23, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Daniel Marr, as follows:

SPECIFICATION NO. 1

- a) At all times mentioned herein, the accused was and now is, a police officer employed by the City and County of San Francisco;
- b) At approximately 0010 hours on Saturday, March 31, 1979, Officer Daniel Marr who was off duty and in civilian clothes at the time, approached a bar located at 4737 Geary Street in San Francisco known as "Peg's Place;"
- c) Officer Marr and others sought entrance to the bar and were refused by the doorman, one Arlene Levine, who informed them that they could not enter the bar with beer containers and that in her opinion, they were too drunk to enter;

- d) In response to this refusal, Officer Marr stated to Ms. Levine words similar in effect to: "We are the cops and can do what we damn well please;"
- e) Officer Marr continued to seek entrance by attempting to force his way past the door person, and was physically restrained from entering by Ms. Levine who instructed the bartender to notify the police;
- f) Officer Marr then stated again words similar in effect to: "We are the police.";
- g) This conduct in seeking to force entrance to the bar while announcing that he was a police officer was conduct unbecoming an officer which brought discredit upon the San Francisco Police Department and is in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

2.13 - "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 2

- a) Each and every allegation in paragraphs (a) through (f) of Specification No. 1 is incorporated by reference as if each such allegation was fully stated;

- b) After being refused entrance, Officer Marr left Peg's Place and went to another bar, the Hearth, a short distance away;
- c) The accused remained there only a short time and then returned to Peg's Place, where he entered and sat or stood at the bar;
- d) At the time of the return of Officer Marr to Peg's Place, uniformed, on-duty officers of the San Francisco Police Department had arrived and were present within and without the bar;
- e) Officer Marr was identified by Arlene Levine to Officer Robert Gin, who had reported to the scene, as the man who had struck her while seeking entrance to the bar and by Erlinda Symaco (also referred to as "Linda" Symaco) as the man who started all the trouble;
- f) Officer Gin then approached Officer Marr and spoke to him, requesting that he leave the bar, to which Officer Marr responded with words to this effect: "I know and I don't give a fuck what kind of a bar this is, I want a beer.";
- g) These profane words in response to the lawful order of a fellow officer and in the presence of other persons was conduct unbecoming an officer which brought disrepute upon the Department and is in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

2.13 - "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though

such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct triable and punishable by the Board."

SPECIFICATION NO. 3

- a) Each and every allegation in paragraphs (a) through (f) of Specification No. 1 and paragraphs (a) through (f) of Specification No. 2, is incorporated by reference as if each such allegation was fully stated:
- b) In response to the order of Officer Gin to leave the bar, Officer Marr began to follow Officer Gin out of the bar;
- c) In the course of following Officer Gin out of the bar, Officer Marr turned and spoke in a threatening manner to Arlene Levine words to the effect: "I'm going to get you, bitch.";
- d) This conduct is threatening and speaking profanely to a citizen was conduct unbecoming an officer which brought disrepute upon the Department and is in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

2.13 - "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department, or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficerlike conduct and triable by the Board."

SPECIFICATION NO. 4

- a) Each and every allegation in paragraphs (a) through (f) of Specification No. 1, paragraphs (a) through (f) of Specification No. 2 and paragraphs (a) through (c) of Specification No. 3, is incorporated by reference as if each such allegation was fully

stated:

- b) While following Officer Gin out of the bar, Officer Marr turned, and after speaking to Arlene Levine the words alleged in paragraph (c) of Specification No. 3, struck or shoved Ms. Levine in the chest in a forceful manner without lawful justification;
- c) This conduct in using force and violence upon a citizen without lawful justification did constitute a breach of the peace and is conduct unbecoming an officer in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

2.13 - "Any breach of the peace, neglect of duty, misconduct or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 5

- a) Each and every allegation in paragraphs (a) through (f) of Specification No. 1, paragraphs (a) through (f) of Specification No. 2, paragraphs (a) through (c) of Specification No. 3, and paragraphs (a) and (b) of Specification No. 4, is incorporated by reference as if each such allegation was fully stated;
- b) After speaking to, and shoving, Mrs. Levine, Officer Marr continued to leave the bar through double doors located at the entrance to the bar;
- c) Owner Erlinda Symaco was standing nearby and, in response to the shoving of Mrs. Levine, began to follow Officer Marr out of the door;

- d) Officer Marr knowingly and deliberately slammed the door or doors behind him, catching between the doors the upper portion of the right arm of Ms. Symaco;
- e) This conduct in using force and violence upon a citizen without lawful justification did constitute a breach of the peace and is conduct unbecoming an officer in violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department, which states:

2.13 - "Any breach of the peace, neglect of duty or any conduct on the part of any member either within or without the state which tends to subvert the good order, efficiency or discipline of the department or which reflects discredit upon the department or any member thereof or that is prejudicial to the efficiency and discipline of the department, though such offenses are not specifically defined or laid down in these Rules and Procedures shall be considered unofficer-like conduct triable and punishable by the Board."

SPECIFICATION NO. 6

- a) Each and every allegation in paragraphs (a) through (f) of Specification No. 2 is incorporated by reference as if each such allegation was fully stated:
- b) When interviewed by an officer from the Internal Affairs Bureau assigned by lawful authority to investigate his conduct on the morning of March 31, 1979, Officer Daniel Marr denied that, in speaking with Officer Gin, he made the statement as hereinbefore alleged, to this effect: "I know and I don't give a fuck what kind of a bar this is, I want a beer.";
- c) In denying he made this or a similar worded statement, Officer Daniel Marr was being untruthful and is in violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

2.49 - "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matters affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 7 :

- a) Each and every allegation in paragraphs (a) through (c) of Specification No. 3 is incorporated by reference as if each such allegation was fully stated:
- b) When interviewed by an officer from the Internal Affairs Bureau assigned by lawful authority to investigate his conduct on the morning of March 31, 1979, Officer Daniel Marr denied that he made the threat to Ms. Levine as hereinbefore alleged with words to this effect: "I'm going to get you, bitch.";
- c) In denying he made this or a similarly worded statement, Officer Daniel Marr was being untruthful and is in violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

2.49 - "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

SPECIFICATION NO. 8

- a) Each and every allegation in paragraphs (a) and (b) of Specification No. 4 is incorporated by reference as if each

such allegation was fully stated:

- b) When interviewed by an officer from the Internal Affairs Bureau assigned by lawful authority to investigate his conduct on the morning of March 31, 1979, Officer Daniel Marr denied that he struck or shoved in a forceful manner Ms. Levine in the chest as hereinbefore alleged;
- c) In denying that he committed this act, Officer Marr was being untruthful and is in violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department, which states:

2.49 - "Shall, when called upon by a superior officer, or by one specially assigned by lawful authority to conduct an investigation involving police matters, or any matter affecting the conduct of a member or members, truthfully answer all questions propounded. All reports, statements and declarations made orally, or in writing in the foregoing matters shall contain the truth without evasion."

and

WHEREAS, hearings on said charges were had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Monday, September 10, 1979, Monday, September 27, 1979, Monday, October 8, 1979, Wednesday, November 7, 1979, Wednesday, November 14, 1979, Wednesday, November 21, 1979, and that on Wednesday, November 21, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Daniel Marr as contained in Specification Nos. 1 through 5 are sustained by the evidence presented at the hearing and that Police Officer Daniel Marr violated Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, the Police Commission finds that the said charges made and filed against Police Officer Daniel Marr as contained in Specifications Nos. 6 through 8, are sustained by the evidence presented at the hearing and that Police Officer Daniel Marr

violated Section 2.49 of the Rules and Procedures of the San Francisco Police Department; therefore be it

RESOLVED, that it is the order of the Police Commission that Police Officer Daniel Marr has violated Specifications Nos. 1 through 5, violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that Police Officer Daniel Marr has violated Specifications Nos. 6 through 8, Section 2.49 of the Rules and Procedures of the San Francisco Police Department; and be it further

RESOLVED, that it is the order of the Police Commission that for violation of Specifications Nos. 1 through 5, Section 2.13 of the Rules and Procedures of the San Francisco Police Department, Police Officer Daniel Marr shall be suspended for sixty (60) calendar days without pay; and be it further

RESOLVED, that it is the order of the Police Commission that for violation of Specifications Nos. 6 through 8, Section 2.49 of the Rules and Procedures of the San Francisco Police Department, Police Officer Daniel Marr shall be suspended for a period of thirty (30) calendar days without pay; and be it further

RESOLVED, that it is the order of the Police Commission that the above suspensions are to run consecutively commencing at 0001 hours, Friday, November 23, 1979 to Wednesday, February 20, 1980 at 2400 hours.

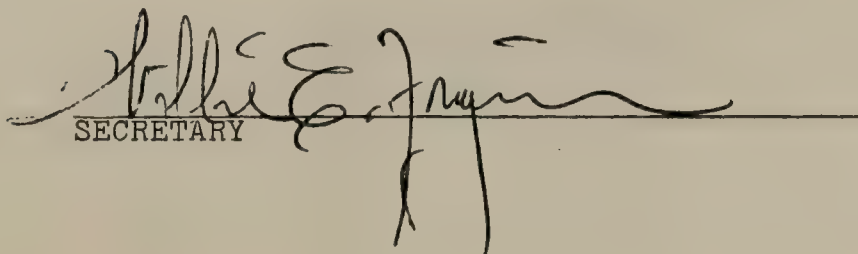
(The entire proceedings were taken in shorthand form by Hearing Reporter Linda S. Pransky, C.S.R.)

AYES: Commissioners Sanchez, Toler, Siggins

VOTED FOR TERMINATION: Commissioner Murphy

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting at 2210 hours.


SECRETARY

28 NOVEMBER 1979

REGULAR MEETING

Minutes
The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, November 28, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Murphy, Sanchez, Toler, Siggins

ABSENT: Commissioner Ciani

DOCUMENTS DEPT.

Commissioner Siggins presiding.

JAN 24 1980

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1926 LOMBARD STREET - ROMA ITALIANA DELICATESSEN

- a) At 1926 Lombard Street, install a 22' green zone, extending from west property line 22' east of same.

834 MISSION STREET - ROBERTS FURNITURE CO.

- a) At 834 Mission Street, install a 22' yellow zone, extending 22' north from south building line.
- b) Remove meter MIS 834.

1616-16th STREET - DEPENDABLE FURNITURE

- a) At 1616-16th Street, install a 40' yellow zone, extending from east property line 40' west of same.

1938 SCOTT STREET - DR. FLOHR

- a) At 1938 Scott Street, install a 22' white zone, extending from south property line 22' north of same.

2437 BRYANT STREET - BRYANT ELEMENTARY SCHOOL

- a) At 2437 Bryant Street, install a 44' white zone, extending 44' south of north property line.
- b) Sign to be posted "School Bus Zone 7 A.M./ 5 P.M.

1034 YORK STREET - BRYANT ELEMENTARY SCHOOL -DENIED

- a) At 1034 York Street, install a 22' yellow zone, extending from 22' to 44' south of north property line. DENIED.

1450 GRANT AVENUE - LERNER'S COMEDY CLOSET

- a) At 1450 Grant Avenue, install a 22' white zone, extending from north property line 22' south of same.
- b) Place sign on meter #GRA 1424 "Passenger Loading Zone 5 P.M./2 A.M.

329 FULTON STREET - NEW ALDEN HOTEL

- a) At 329 Fulton Street, install a 22' white zone, extending from west property line 22' east of same.
- b) Revoke existing 23' yellow zone, extending from 4' to 27' east of west property line.

1599 SANCHEZ STREET - NOE VALLEY COMMUNITY STORE

- a) At 1599 Sanchez Street, revoke existing 24' green zone, extending from 3' to 27' north of 29th Street.

1599 SANCHEZ STREET - NOE VALLEY COMMUNITY STORE

- a) At 1599 Sanchez Street, install a 24' yellow zone, extending from 3' to 27' north of 29th Street.

398-29th STREET - NOE VALLYE COMMUNITY STORE

- a) At 398-29th Street, revoke existing 22' yellow zone, extending from 27' to 49' east of west property line.

1919 SILVER AVENUE - PELTON JR. MIDDLE HIGH -
DENIED

- a) At 1919 Silver Avenue, install a 90' white zone, extending from 16' to 106' west of Conkling. DENIED.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 69 feet of yellow and green zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 670-79

VALERIE ALLEN AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Valerie Allen and her attorney in the amount of \$2,000.00 in Superior Court Action No. 738-968 entitled "Valerie Allen and her attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 19, 1979

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 671-79

LINDA COOK AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Linda Cook and her attorney in the amount of \$1,000.00 in Superior Court Action No. 738-968 entitled "Linda Cook and her attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 19, 1979

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 672-79

YOLANDA CUNNINGHAM AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Yolanda Cunningham and her attorney in Superior Court Action No. 701-307, in the amount of \$1,000.00 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 3, 1975

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 673-79

NATE KAWAGUCHI AND HIS ATTORNEY

RESOLVED, that the recommendation of

the City Attorney for settlement of litigation of Nate Kawaguchi and his attorney in the sum of \$812.00 in Superior Court Action No. 688-686 entitled "Nate Kawaguchi and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 2, 1979

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 674-79

RAYFIELD RAGLER AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Rayfield Ragler and his attorney in the sum of \$3,000.00 in Superior Court Action No. 689-629 entitled "Rayfield Ragler and his attorney vs. City and County of San Francisco, et al.," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 11, 1974

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 675-79

MARVIN J. HORNSTEIN

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Marvin J. Hornstein against the City and County of San Francisco in the sum of \$10.00 as the result of damages sustained, be, and the same is

hereby approved.

Date of Incident: August 8, 1979

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

AUTHORIZING ATTENDANCE OF POLICE OFFICER
WILBERT K. BATTLE, PERSONNEL AND TRAINING,
AT THE EASTERN REGIONAL COMMUNITY ANTI-CRIME
SEMINAR, SPONSORED BY THE LEAA ADMINISTRATION
AT BALTIMORE, MARYLAND, FROM DECEMBER 2, 1979
TO DECEMBER 6, 1979, INCLUSIVE.

RESOLVED, that the recommendation of
the Chief of Police that Police Officer Wilbert
K. Battle, Personnel and Training, be detailed
to attend the Eastern Regional Community Anti-
Crime Seminar, at Baltimore, Maryland, from Decem-
ber 2, 1979 to December 6, 1979, inclusive, be,
and the same is hereby approved; and be it further

RESOLVED, that expenses incurred by
Officer Battle will be paid by the Law Enforce-
ment Assistance Administration.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 676-79

AUTHORIZING ATTENDANCE OF LIEUTENANT LIONEL T.
HESS, CRIMES SPECIFIC TASK FORCE, AT THE UNUSUAL
INCIDENTS COMMAND COURSE AT EUREKA, CALIFORNIA,
FROM DECEMBER 12, 1979 TO DECEMBER 14, 1979,
INCLUSIVE.

RESOLVED, that the recommendation of
the Chief of Police that Lieutenant Lionel T.
Hess, Crimes Specific Task Force, be detailed
to attend the Unusual Incidents Command Course
at Eureka, California, from December 12, 1979

to December 14, 1979, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Lieutenant Lionel T. Hess, Crimes Specific Task Force, in a sum not to exceed \$238.00 will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 677-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Harry Miller	)\$888.00	(At the Middle
Field Operations -	) each	(Management Train-
Patrol Division	)	(ing Course, Watson-
	)	(ville, California,
Lieutenant Edward McDonough)		(from October 13,
Field Operations -	)	(1979 to October 26,
Patrol Division	)	(1979, inclusive.
)	
Lieutenant Walter VanDehey)	
Field Operations -)	
Patrol Division)	

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

CHIEF'S REPORT TO THE POLICE COMMISSION

Commissioner Murphy: "On this traffic enforcement memo from Deputy Chief Mullen to you Chief, it gives actual figures that the Traffic Division wrote 25,000 more parking and moving citations in

October than in August. In Patrol Division both parking and moving citations increased considerably. In my judgment there is still room for improvement. Do we have any actual figures on that for comparison or not?"

Chief Gain: "The reason I introduced this to the Commission is that this has been a topic of concern and that there will be a more detailed analysis submitted to the Commission."

Commissioner Murphy: "It interests me because 25,000 more citations is quite a batch of them."

Commissioner Toler: "Chief, in your opinion there is room for improvement. In what areas can improvements be made?"

Chief Gain: "There is room for improvement in productivity. What we found by analyzing citations for moving violations is that there has been a decrease commencing earlier this year in Patrol Division and Solo Motorcycles. Commander Seghy detected the decrease in Solo Motorcycles himself through the usual monitoring of citations and took action which has brought about an increase. There is a need for motivating and somewhat an iron hand. I think he is using a combination of both. He is saying please while he pounds the table."

Commissioner Sanchez: "I had the fortune of going to a breakfast this morning in the Mission District in which the various principles and vice principles of both the elementary and senior high schools were present. One of the major concerns by many administrators is that there seems to be a redeployment of some of our men and women out of Youth Services and I believe we are from 10 down to 6; as an example, we now have one officer trying to work with Mission High School and McAteer with roughly about 6,000 kids between two geographic areas which would require the work of 4 full time people.

They have asked if I would bring this to your attention and they have written letters of support in the past, it is a priority area.

The men and women plus the use of the 28 car in the area have been a success and there is a need to expand service such as this rather than wait for a crisis. I hope we can assess the deployment of our manpower."

Chief Gain: "We are aware of the problem. I have conferred this with Deputy Chief Taylor and he made an evaluation of it and he feels at this time that the numbers are appropriate to the problem. Also, as we

know, it is not only Youth Services but the District Station that covers those schools.

We will re-assess it. We will report back next week on that."

RESOLUTION NO. 678-79

TOW SERVICE FOR THE SAN FRANCISCO POLICE DEPARTMENT.

WHEREAS, the former contract for towing of vehicles abandoned on the streets of San Francisco expired September 8, 1979, and there is presently no such contract; and

WHEREAS, the San Francisco Police Department receives 1,279 complaints of abandoned vehicles in an average month, and about 525 abandoned vehicles are towed in an average month; and

WHEREAS, these vehicles are not only unsightly and occupy needed parking space on city streets, but constitute a dangerous nuisance and potential health and safety hazard to young persons and others who are attracted to them; and

WHEREAS, between the date of the expiration of the tow contract on September 8, 1979, and November 6, 1979, approximately 1,050 abandoned vehicles have accumulated on the streets of San Francisco; it is therefore

RESOLVED, that the Police Commission views the situation with regard to abandoned vehicles as an emergency situation and directs the Chief of Police and the Commander of Traffic to apply the present procedure of calling upon conveniently located tow services being used to remove accident and blocked driveway emergency situations to the abandoned vehicle situation; and be it further

RESOLVED, that the Board of Supervisors of the City and County of San Francisco are urged to take steps to permanently resolve this problem as well as that of other kinds of tows; and specifically said Board of Supervisors is requested to examine the possibility of providing land owned by the City and County of San Francisco for the purpose of storing and disposing of towed vehicles, and either entering into a contract with a reputable, stable company to provide the necessary tow service or developing a city owned agency to provide the service.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 679-79

ORDINANCE AUTHORIZING CHARGING FEES OF PERMITS
FOR STREET FAIRS.

WHEREAS, there has been an increase in the number of street fairs requiring the temporary denial of vehicle passage over the public streets of the City and County of San Francisco; and

WHEREAS, the Police Department is responsible for insuring the safety of all persons using the public streets of San Francisco; and

WHEREAS, in order to control the number of street fairs utilizing the public streets as to disrupt the general public to the least extent possible, and to provide for permits to conduct such events; and

WHEREAS, at such street fairs goods and services are sold to the general public; therefore be it

RESOLVED, that the Police Commission hereby requests the Board of Supervisors to adopt the attached proposed ordinance granting the Chief of Police power to issue permits for the conduct of fairs on the public streets of the City and County of San Francisco for the additional police services required thereby.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 680-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO PROVIDE
FUNDS FOR ADDITIONAL TRAFFIC CITATIONS

RESOLVED, that the Police Commission hereby approves the request for a Supplemental Appropriation in the amount of \$115,000 to provide funds for traffic citation forms.

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

HEARING OF THE APPEAL OF SUSPENSION WITHOUT PAY
OF POLICE OFFICER PATRICK J. WHITE, MISSION POLICE
STATION

The hearing of the appeal of the suspension of Police Officer Patrick J. White, Mission Police Station, was called, it having been set for this date. Police Officer Patrick J. White appeared in person and was represented by Michael S. Hebel, Attorney at Law.

Mr. Lawrence Wilson, Legal Office, appeared as the Prosecutor for the Police Department.

The following-named witness appeared for the Prosecution, duly sworn and testified:

Cornelius P. Murphy
Commander of Patrol

The following-named witnesses appeared for the Defense, duly sworn and testified:

Police Officer Patrick J. White
Mission Police Station

Charles R. Gain
Chief of Police

The following Exhibits were entered into Evidence by the Defense:

Exhibit A - Memorandum dated October 17, 1979, from Joseph J. Franaszek, Department of Industrial Relations, Senior Health Physicist, Radiation Health Unit--S.F.

Exhibit A1- Permissible Levels of Radiation in Uncontrolled Areas Report.

Exhibit B - Letter from Charles R. Gain, Chief of Police, dated November 30, 1977, addressed to Robert J. Guinan re "Recommendation of Chief's Suspension for One Day."

Closing arguments were then made by Mr. Michael S. Hebel and Mr. Lawrence Wilson.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 681-79

DECISION - HEARING OF THE APPEAL OF THE SUSPENSION
WITHOUT PAY OF POLICE OFFICER PATRICK J. WHITE,
MISSION POLICE STATION

WHEREAS, Police Officer Patrick J. White, Mission Police Station, was suspended without pay by the Chief of Police pursuant to Section 8.343 of the Charter of the City and County of San Francisco, and Rule 3.06 of the Rules and Procedures of the San Francisco Police Department, for a period of two (2) working days from 0001 hours October 4, 1979 through 2400 hours October 5, 1979; and

WHEREAS, pursuant to Rule 5.160 of the Rules and Procedures of the San Francisco Police Department, Police Officer Patrick J. White, Mission Police Station, did file with the Secretary of the Police Commission, a written appeal of his suspension by the Chief of Police; and

WHEREAS, a hearing on said suspension was heard by the Police Commission on Wednesday, November 28, 1979, the matter was submitted to the Police Commission for decision; therefore be it

RESOLVED, insofar as the Commission did not alter or reverse the suspension of the Chief, it is hereby sustained.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

SUSTAINED: Commissioners Murphy, Siggins

REPRIMAND: Commissioners Sanchez, Toler

ABSENT: Commissioner Ciani

RESOLUTION NO. 682-79

HEARING OF POLICE OFFICER ANDREW W. CITIZEN,
SOUTHERN POLICE STATION

The hearing of Police Officer Andrew W. Citizen, Southern Police Station, was called, it having been set for this date. Officer Andrew W.

Citizen was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failing to take proper enforcement action when being advised of criminal activity; conspiring to receive stolen property without lawful right or authority. (Violation of Rule 2.13 - Neglect of duty and bringing discredit upon the Police Department.)

SPECIFICATION NO. 2

Failure to make a Report. (Violation of Rule 2.61 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police, of the San Francisco Police Department.

Police Officer Andrew W. Citizen appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witnesses appeared for the Prosecution, duly sworn and testified:

Sergeant Bill Taylor
Internal Affairs Bureau

Sergeant James Tedesco
Chief's Office

The Commission then adjourned at 2140 hours, and the matter was continued to Monday,

December 3, 1979 at 1730 hours, in Room 551,
Hall of Justice.

(The entire proceedings were
taken in shorthand form by
Hearing Reporter Linda Pransky,
C.S.R.)

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

RESOLUTION NO. 683-79

HEARING OF POLICE OFFICER DENNIS L. MC CAFFREY,
NORTHERN POLICE STATION

The hearing of Police Officer Dennis L. McCaffrey, Northern Police Station, was called, it having been set for this date. Officer Dennis L. McCaffrey was charged with violating the Rules and Procedures as follows:

SPECIFICATION NO. 1

Failing to take proper enforcement action when advised of a crime; conspiring to receive stolen property without lawful right or authority; receiving and possessing stolen property. (Violation of Section 2.13 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to make Report. (Violation of Section 2.61 of the Rules and Procedures of the San Francisco Police Department.)

in a properly verified complaint by Charles R. Gain, Chief of Police, of the San Francisco Police Department.

Police Officer Dennis L. McCaffrey appeared in person and was represented by Mr. Gilbert Eisenberg, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The reading of the Charges was waived.

Opening statements were made by both the Prosecuting and Defense Attorneys.

The following-named witnesses appeared for the Prosecution, duly sworn and testified:

Sergeant Bill Taylor
Internal Affairs Bureau

Sergeant James Tedesco
Chief's Office

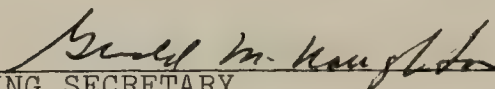
The Commission then adjourned at 2140 hours, and the matter was continued to Monday, December 3, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky C.S.R.)

AYES: Commissioners Murphy, Sanchez,
Toler, Siggins

NOT VOTING: Commissioner Ciani

The Commission then adjourned its meeting at 2140 hours.



ACTING SECRETARY

3 DECEMBER 1979

SPECIAL MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Monday, December 3, 1979 at 1730 hours in Special Session.

PRESENT: Commissioners Murphy, Toler, Siggins

ABSENT: Commissioners Ciani, Sanchez DOCUMENTS DEPT.

Commissioner Siggins presiding.

JAN 24 1980

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CONTINUATION OF THE HEARING OF POLICE OFFICER
ANDREW W. CITIZEN, SOUTHERN POLICE STATION

The matter of the hearing of Police Officer Andrew W. Citizen, Southern Police Station, was called, it having been continued from the meeting of November 28, 1979.

Police Officer Andrew W. Citizen appeared in person and was represented by Mr. Stephen Bruce Bley, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses appeared for the Prosecution, duly sworn and testified:

Sergeant John Brunner
Police Academy

Mr. Henry Bonnom

The Commission then adjourned at 2100 hours, and the matter was continued to Wednesday, December 26, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

CONTINUATION OF THE HEARING OF POLICE OFFICER
DENNIS L. MC CAFFREY, NORTHERN POLICE STATION

The matter of the hearing of Police Officer Dennis L. McCaffrey, Northern Police Station, was called, it having been continued from the meeting of November 28, 1979.

Police Officer Dennis L. McCaffrey appeared in person and was represented by Mr. Gilbert Eisenberg, Attorney at Law.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the Police Department.

The following-named witnesses appeared for the Prosecution, duly sworn and testified:

Sergeant John Brunner
Police Academy

Mr. Henry Bonnom

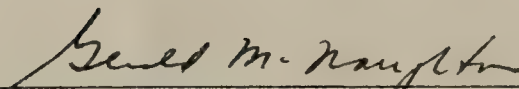
The Commission then adjourned at 2100 hours, and the matter was continued to Wednesday, December 26, 1979 at 1730 hours, in Room 551, Hall of Justice.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Murphy, Toler, Siggins

NOT VOTING: Commissioners Ciani, Sanchez

The Commission then adjourned its meeting at 2100 hours.



ACTING SECRETARY

5 DECEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 5, 1979 at 1730 hours, in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Siggins

ABSENT: Commissioner Toler

DOCUMENTS DEPT.

JAN 24 1980

Commissioner Siggins presiding.

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The Commissioners, having received, amended and returned copies of the minutes of the meeting of November 7, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

PRESENTATION OF MEDAL OF VALOR AWARDS AND CERTIFICATES

Commissioner Siggins: "Commissioner David Sanchez was Chairman of the last Awards Committee Meeting and he will make the presentation to the Commission. I would like to turn it over to Dr. Sanchez for some comments."

Commissioner Sanchez: "I apologize to the Commission and men and women for being late. Unfortunately, I couldn't be here until this point. I have a few comments to make: No. 1, the quality of these nominations as with other Meritorious Awards is really one of great significance, one thing that was constant through all of the deliberations of the Meritorious Awards Committee. In fact, somehow our men and women in law enforcement in San Francisco have a much higher degree of tolerance and perseverance and understanding in reference in dealing with law enforcement than many other law enforcement services that have been making headlines throughout the state and the nation. This was discussed within the Awards Committee itself. We have all heard about the fact that some sort of have an epidemic of some law enforcement using weapons whatever time and place. Across the bay there is a different situation. The fact of the matter is there were numerous situations in these awards whereby all rules and procedures of the San Francisco Police Department, these men and women could have

fired their weapons, given the nature of the occasion, but for some high tolerance, men and women of commitment felt that they could accomplish the means to the end and as a result, thank God they are all here tonight to receive the awards.

So on behalf of the Commission and on behalf of the Meritorious Award Committee we would like to congratulate all of you on a job well done. There are, I believe, 8 Silver, 1 combined Silver and Bronze and 22 Bronze. Thank you very much."

Commissioner Murphy: "Thank you. I, as a matter of personal privilege would like to point out one officer, Sergeant Owen Kenny, is not only brave, but he also is the God Father, maybe that isn't the right term, but the mover and shaker of the Fishing Program that the police department carries on with the youth of this city.

Over 6,000 kids, boys and girls participated in this program last summer and that's an awful lot of young people to be influenced by not only Sergeant Kenny but the rest of the group of officers that have helped with this program on their own time. I think it's almost as good as being brave and being able to disarm. It means the future of these children. They have a better chance of being good citizens and maybe policemen someday.

I think we should give an extra thanks to Owen Kenny."

PRESENTATION OF THE MEDAL OF VALOR AWARDS AND CERTIFICATES.

The following-named members of the Police Department were presented Medal of Valor Awards and Certificates at the Commission Meeting by Commissioner Sanchez:

Police Officer Robert	
J. DelTorre.....	Silver Medal
Police Officer John R.	
Hennessey.....	Silver Medal
Police Officer Richard	
T. Oakes.....	Silver Medal
Police Officer Steven R.	
Silvers.....	Silver Medal
Police Officer Joaquin G.	
Santos.....	Silver Medal

Police Officer James S.
Sweeney.....Silver Medal
(Trans. to Fire Dept)

Sergeant Owen A. Kenny.....Bronze Medal

Sergeant David R. Winn.....Bronze Star

Police Officer Richard P.
Hesselroth.....Bronze Medal and
Bronze Star

Police Officer Henry L. Kirk..Bronze Medal and
Bronze Star

Police Officer James E.
Ludlow.....Bronze Star

Police Officer Jeremiah W.
Morgan.....Bronze Medal

Police Officer Edward B.
McDonough.....Bronze Star

Police Officer Mary R. Nilan..Bronze Medal

Police Officer Mark A. Potter.Bronze Star

AYES: Commissioners Ciani, Murphy,
Sanchez, Siggins

NOT VOTING: Commissioner Toler

RECOMMENDATION OF THE TRAFFIC BUREAU -APPROVED

RESOLVED, that the recommendation of
the Traffic Bureau on the installation of zoning
for the regulation of traffic on the public streets,
be, and the same are hereby approved:

272 IVY ALLEY - VORPAL GALLERY

- a) At 272 Ivy Alley, install a 22' yellow
zone, extending from 23' to 45' west
of east building line.

244 NAPOLEAN - BAYSHORE METALS

- a) At 244 Napolean, install a 22' yellow
zone, extending from 8' to 30' north of
south building line - repaint red zone
and yellow at 240 Napolean.

996 SHOTWELL STREET - EL PESCODOR

- a) At 996 Shotwell Street, install a 22' yellow zone, extending from 22' to 44' north of south property line.
- b) Meter SWL 996 to be removed.

301-305 JACKSON STREET - CUSTOM HOUSE

- a) Remove stencil only leaving zone 103' white from 10' to 113' west of Battery Street with curb stencilled "Reserved U.S. Customs."

301-14th STREET - THE ARMORY

- a) Revoke existing 70' yellow zone, extending from 20' to 90' west of Mission Street.

1800 MISSION STREET - THE ARMORY

- a) At 1800 Mission Street, revoke existing 67' white zone, extending from 75' to 142' south of 14th Street.

3600-20th STREET - A-1 TRANSFER & STORAGE CO.

- a) At 3600-20th Street, revoke existing 21' yellow zone, extending from 33' to 54' west of Valencia Street.

110 (APPROX.) (Opp. 111/109) MAGNOLIA - S.F.P.D.

- a) At approximately 110 Magnolia Street, revoke existing 18' red zone.

470-474 VALENCIA STREET - OPERATING ENGINEER
LOCAL UNION #3

- a) At 470-474 Valencia Street, revoke existing 45' white zone, extending from 9' to 54' north of the south line.
- b) At 470-474 Valencia Street, revoke existing 42' yellow zone, extending from 4' south of to 39' north of the south line of #474 Valencia Street.

- c) Change to green meters install 5 more meters.

730 WASHINGTON STREET - NAM YUEN - CONTINUED
TO THE MEETING OF DECEMBER 12, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 263 feet of red, white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 684-79

SALLY PALL AND HER ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of litigation of Sally Pall and her attorney in the sum of \$3,750.00 in Superior Court Action No. 743-614 entitled, "Sally Pall, Plaintiff, vs. City and County of San Francisco, Defendants," as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: January 31, 1978

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 685-79

OTTO SCHEUFLER

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Otto Scheufler against the City and County of San Francisco in the sum of \$1,050.00 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Incident: October 24, 1979

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 686-79

ANDREW W. YEHL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Andrew W. Yehl against the City and County of San Francisco in the sum of \$325.94 in Small Claims Court Action No. 365-451, as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: July 19, 1979

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 687-79

ANDERSON VICKERS AND GREGORY
DEAN AND THEIR ATTORNEY

RESOLVED, that upon the recommendation of the City Attorney judgment in the amount of \$5,500.00 has been awarded to Anderson Vickers and Gregory Dean and their attorney for damages

sustained, be, and the same is hereby approved.

Date of Incident: December 10, 1973

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

CLAIM OF SEGUNDO RAYMUNDO AND HIS ATTORNEY IN
THE AMOUNT OF \$1,750.00 - CONTINUED TO THE MEET-
ING OF DECEMBER 12, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RETIREMENTS

Communications were received from the Re-
irement Board officially notifying the Police
Commission of the retirement of the following-
named members of the Police Department:

- a) Police Officer Layton M. Duffy, Central
Police Station, for service, effective
November 7, 1979.
- b) Police Officer John J. Lopez, Southern
Police Station, for service, effective
October 17, 1979.

The communications were ordered filed.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 688-79

TRAVELING EXPENSE VOUCHERS - APPROVED.

RESOLVED, that the Traveling Expense Vouchers

submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Deputy Chief Mario Amoroso	)	\$615.00	(Vehicle Fleet
Support Services	)	each	(Management Work-
	)		(shop, Phoenix,
Police Officer George Schreck)			(Arizona, from
Support Services	)		(November 14, 1979
			(to November 16,
			(1979, inclusive.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 689-79

WRITTEN COMMUNICATIONS SYSTEM GENERAL ORDER - APPROVED

RESOLVED, that the Police Commission hereby adopts the proposed revisions to the general order regarding a "Written Communication System."

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 690-79

SPECIFICATION FOR UNIFORM AND EQUIPMENT: PLASTIC HANDCUFFS - APPROVED

RESOLVED, that the Specifications for Plastic Handcuff restraints are hereby adopted for inclusion in the Department Uniform and Equipment Specifications.

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 691-79

GENERAL ORDER ON MOTOR VEHICLE FUEL AND OIL
DISTRIBUTION - APPROVED

RESOLVED, that the Police Commission hereby adopts the proposed general order regarding Motor Vehicle Fuel and Oil Distribution.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 692-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION

RESOLVED, that the Police Commission hereby approves a request for a Supplemental Appropriation in the amount of \$199,298 which would transfer funds from the sworn officer account to the Title II grant account to offset a deficit.

AYES: Commissioners Ciani, Murphy, Sanchez,
Siggins

NOT VOTING: Commissioner Toler

RESOLUTION NO. 693-79

HEARING OF POLICE OFFICER TEDDY QUERUBIN, PARK
POLICE STATION

WHEREAS, on Wednesday, September 5, 1979, Police Officer Teddy Querubin, Park Police Station, in a hearing before the Police Commission, was found guilty to Specification No. 1, violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department; and

WHEREAS, it was the order of the Police Commission that for said violation, Police Officer Teddy Querubin be dismissed from the San Francisco Police Department, but was granted a stay of execution on the following conditions:

1. Police Officer Teddy Querubin shall report weekly on his own time to the Police Department's Physical Fitness Officer for a weight check commencing Friday, September 14, 1979, and each Friday thereafter through November 30, 1979.
2. Officer Querubin shall submit to the Physical Fitness Officer within two weeks an acceptable plan from a physician, or some other appropriate person of his own choosing, who has prescribed for him a rigorous regimen that will result in his achieving the required amount of weight reduction to 221 pounds. If this plan is not submitted within two weeks, he will be brought before the Commission at the next regular meeting and terminated.
3. He shall report to the Police Commission on Wednesday, December 5, 1979, weighing 221 pounds or less.
4. If he does not make satisfactory progress toward that goal or if he misses, without adequate justification, his appointments with the Police Department's Physical Fitness Officer, he shall be required to return on or before December 5, 1979, to the Police Commission and be terminated from the San Francisco Police Department.

On Wednesday, December 5, 1979, Robert F. Barry and Paul C. Chignell, President and Vice-President, San Francisco Police Officers' Association, appeared on behalf of Police Officer Teddy Querubin.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the San Francisco Police Department.

The following-named witness was called by the Prosecution, duly sworn and testified:

Police Officer Joseph Mollo
Physical Fitness Officer
Police Academy

The following-named witness was called by the Defense, duly sworn and testified:

Police Officer Teddy Querubin
Park Police Station

The following listed items were submitted into evidence:

1. Letter dated December 5, 1979, signed by Annette Spruell, from Robert Haskell, M.D., and Associates.
2. Authorization for Release of Information from St. Francis Hospital, dated November 30, 1979.
3. Subpoena, Municipal Court, dated September 14, 1979.

and

WHEREAS, the Commission took the matter under submission and requested that Police Officer Teddy Querubin return to be examined by Dr. Steiner, the Police Surgeon, and that Officer Querubin and Dr. Steiner appear before the Police Commission on Wednesday, December 12, 1979, at which time Dr. Steiner will submit his recommendation and findings to the Board; therefore be it

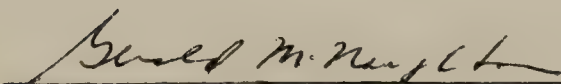
RESOLVED, that the matter in the hearing of Police Officer Teddy Querubin is continued to Wednesday, December 12, 1979.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Ciani, Murphy, Sanchez, Siggins

NOT VOTING: Commissioner Toler

The Commission then adjourned its meeting at 2330 hours.



ACTING SECRETARY

12/79
12 DECEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 12, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

DOCUMENTS DEPT.

Commissioner Siggins presiding.

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RECOMMENDATION OF THE TRAFFIC BUREAU - APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1061 and 1063 HOWARD STREET - EMPIRE SALES

- a) At 1061 and 1063 Howard Street, install a 44' yellow zone, extending from 12' to 56' west of east property line.
- b) Remove meters 1081 and 1083.

120 HOWARD STREET - U.S. REGIONAL TRAINING CENTER

- a) At 120 Howard Street, install a 22' blue zone, extending from 5' west to 17' east of west building line.
- b) Meter 110 to be removed.

805 HOWARD STREET - HENRY'S PLACE

- a) At 805 Howard Street, install a 22' green zone, extending from 25' to 47' east of west building line.

421 and 427 CASTRO STREET - THE CASTRO BEAN

- a) At 421 and 427 Castro Street, install a 40' yellow zone, extending from south end of bus zone 40' south of same.

- b) Remove meters CAS #407 & 409.

3232 & 3234 BALBOA - I & S FURNITURE & G.P. SCHMITT

- a) At 3232 and 3234 Balboa, install a 22' yellow zone, extending from 2' to 24' west of east property line.
- b) Remove meter BAL 3218.

APPROX. 99 ECKER STREET - GOLDEN GATE UNIVERSITY

- a) At approximately 99 Ecker Street, install a 22' blue zone, extending from south building line 22' north of same.
- b) Revoke 22' of existing 75' green zone.

347 & 359 GRANT AVENUE - KI NO KAWA & ONNA NO SHIRO

- a) At 347 & 359 Grant Avenue, revoke existing 60' yellow zone, extending from 15' to 75' south of Bush Street.
- b) Replace with 28' white zone, extending from 15' to 43' south of Bush Street. Add 22' meters.

18 GUY PLACE - MR. GALLAGHER - SEVERED FROM CALENDAR UNTIL FURTHER NOTICE BY TRAFFIC SURVEY

811 MONTGOMERY STREET - THERIEN & CO.

- a) At 811 Montgomery Street, partially revoke 22' yellow zone, extending from north property line 22' south of same.
- b) Install green meters.

807 MONTGOMERY STREET - S.F.P.D.

- a) At 807 Montgomery Street, revoke existing 24' white zone, extending 24' south from north property line.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 128 feet of green, white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 694-79

SEGUNDO RAYMUNDO AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Segundo Raymundo and his attorney against the City and County of San Francisco in the sum of \$1,750.00 in Superior Court Action No. 647-208, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: October 21, 1971

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 695-79

BRENDA K. DAVIS, ET AL

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Brenda K. Davis, et al., in the sum of \$625.00 in Federal District Court No. C 782348 RUS, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: November 5, 1977

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 696-79

CALIFORNIA STATE AUTOMOBILE ASSOCIATION
(JACK MARTINO D.S.)

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the California State Automobile Association (Jack Martino D.S.) against the City and County of San Francisco in the sum of \$199.75 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: November 14, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 697-79

TRAVELING EXPENSE VOUCHERS - APPROVED

RESOLVED, that the Traveling Expense Vouchers submitted by the following-named members of the Police Department for expenses incurred in attending the below-indicated program, be, and the same are hereby approved:

Lieutenant Richard D.)	\$92.00	(P.O.S.T. Basic Course
Klapp)	each	(Revision Consortium
Personnel & Training)		(Workshop from November
)		(27, 1979 to November 29,
Sergeant Michael S.)		(1979, inclusive.
Hebel)		
Personnel & Training)		

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he had no report for the Commission tonight.

STATUS REPORT ON DISTRICT ATTORNEY CHARLES
BREYER'S COMMUNICATION RE: PATROL SPECIAL
OFFICERS. - OFF CALENDAR PENDING APPOINTMENT
WITH DISTRICT ATTORNEY.

Chief Gain: "Commissioners, that was just given to the Commission's Secretary today and it is in relation to a previous letter that I transmitted to you where the District Attorney had suggested that we undertake a joint investigation as to the status of Patrol Special Officers. The only thing that the report states is that that joint project is not yet underway. There is a written report coming to you that is more definitive so this is just a status report that is due to the Commission."

Commissioner Siggins: "Okay, Chief."

Commissioner Murphy: "I have one item I would like to ask about. Commander Seghy gave a report regarding that group of senior citizens who wanted to issue citations for cars parked on sidewalks. And I think that either he or you or both of you misunderstood what my question was. They are very clear at least I told them very clearly, that they could not issue citations. It would not only be dangerous, but it isn't within the province of civilians to do so, they understand that it has to be a sworn officer. But what they wanted to do, and I don't think this is too far out, is to have a pad of warnings, mimeographed, very simple, with a carbon paper in it, and they would say, 'you are parking on the sidewalk which is against the law, etc.', whatever the violation would be in the code and leave that on the windshield, and then send the copy into Commander Seghy's Office so that they would have a record of it, and if you found this happened a great deal, then....."

Chief Gain: "We did misunderstand, so we will respond to that."

Commissioner Murphy: "Okay, and then Ed Pye is not with the Catholic Social Service, he is on a General Committee made up of people from Catholic Social Service and other organizations in town that have to do with the elderly. So I am sure you can get in touch with him through there anyway. Thank you."

PETITION REQUESTING THAT DISPATCHERS BE EXEMPTED
FROM THE ANNUAL STANDARDIZATION CELEBRANCE WHICH
MANDATES A FIVE-DAY WORK WEEK WITH TWO STEADY
WATCHES OFF.

Chief Gain stated that he had transmitted to

the Commission the above named petition as required by the Police Department's Rules and Regulations. He stated that several speakers were in the audience to speak to that petition.

The Commission then listened to several speakers who stated that the present watch off system for dispatchers is unfair and unjust. They said it was only to the benefit of a handful of dispatchers who felt that working 8 days and receiving four days off and seven on and two off was strenuous. They said the new system has given everybody a steady five on and two off, and that the system now only allows for 15 or 20% to have weekends off and the remaining 80% only have regular week days off. They stated that this system ruins your family life.

Department Staff then told the Commission that several persons who were disenchanted with the old system had complained and the matter had been settled by a Hearing Officer, thus, the present system. To go back to the old system the annual salary standardization ordinance would have to have an exemption written in for this specific group of people which would allow them to work in excess of 40 hours without payment of time and a half for said excess.

One of the dispatchers, who was in favor of the present system also addressed the Commission and stated that he was one of the persons who filed a grievance because he felt having to work 8 consecutive days with two days off and then seven consecutive days with 4 days off was abusive.

The Chief stated that the Department's position is that the Dispatchers should work five days a week and have two days off. He said that there is nothing of an emergency in that job, or stress in the job, that calls for anything else other than 5 days on and two days off. He said that he would ask that the Commission not support the request of the petition to change from the 5 days working and two days off. He suggested to the Commission that rather than vote on the issue tonight that the Commission should get a staff report so that an overall picture could be shown of the problems involved.

Commissioner Sanchez then stated that given the draft the Chief brought forth this evening, in essence, saying that the Hearing Officer's decision is currently being investigated by the City Attorney's Office, and the Department's wish to review further other types of classifications

which may come under this, and rather than vote on something now and then next week have 18 people say they want to get paid for their comp time, once a comprehensive review has been submitted to the Commission then a more rational vote can be taken on the subject. He then moved that the matter be held over until the report from the City Attorney's Office and Department Staff can be reviewed by the Commission pertaining to the full classification of this mandate.

Commissioner Siggins then stated that the petition submitted by the parties present would be accepted and thanked them for enlightening the Commission on this matter.

REQUESTING APPROVAL OF THE POLICE COMMISSION
TO SUSPEND WATCHES OFF UNTIL JUNE 30, 1980, IN
ORDER TO INCREASE EXTENDED WORK WEEK - CONTINUED
OFF CALENDAR FOR MEET AND CONFER.

Mr. Bob Barry, President of the San Francisco Police Officer's Association, stated that he was appearing before the Commission to oppose the Commission's acting tonight on this matter because it is a change in working conditions, that it is a change in the Rules of the Department, and that it is mandated under the Brown Act that the Association meet with the Department and resolve it at that level or meet with the Commission and resolve it at that level in a Meet and Confer process.

He said that he had just received the material and that it was not sent in the normal manner as had been done on past occasions. He said, therefore, the Association has not had a chance to review the Police Department's statistics and taking these matters in consideration, he requested the matter be continued until other data, which should be considered, is compiled and proper Meet and Confer process is completed.

The Commission concurred with Mr. Barry's request and the matter was continued off calendar until at such time a Meet and Confer process has been conducted with all Police Officer Associations that may want to become involved in arriving at a decision on this matter.

RESOLUTION NO. 698-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO FUND
VARIOUS CIVILIAN POSITIONS IN PROJECT SAFE.

RESOLVED, that the Police Commission

hereby approves a request for a Supplemental Appropriation in the amount of \$188,190 which would transfer funds for various civilian positions in the Safe Project.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Chief Gain then stated that while Lieutenant Jordan was here speaking on the above subject, he would have him address the Commission on a letter the Commission received from the Economic Opportunity Council of San Francisco addressing the SAFE Program and making some unfair and unsupported allegations with regard to the SAFE Program.

Lieutenant Jordan stated that the letter alleged mismanagement of the SAFE Program, particularly out in the Mission District. The Lieutenant stated that it came as a complete surprise to him because they felt they had been on top of every neighborhood office and did not see any difficulties, and if they did, they felt they would have been able to manage them. He said his response in a written letter to the Chief was that he had, at no time, been contacted by members of the Equal Opportunity Council of San Francisco to investigate or respond to alleged grievances in the Mission District SAFE Office. He continued by reading his response thusly, 'I am personally surprised to see such a professional organization sending numerous copies of letters lacking in substance to a variety of city, state and national officials prior to making even a minimal effort to verify the accuracy of the information. The SAFE Program in the Mission District has made a continual effort since its inception to hire and retain Latino Workers due to the large Latino population in the area. Project SAFE has always had Spanish speaking Staff members working as paid employees. Some have been in charge of the Mission District SAFE Office, Sargie Malara and Lilian Medina. Other full time staff members have been Alita Marero, Erma Garcia, Lee Mararo and Alvaro Sanchez. Part time Staff members have also been well represented, Rose Padermo, Celine Garcia, and now Lorina Urbina. Some of the above-named members have been excellent workers while others have been the subject of administrative and Skelly Hearings as a preliminary measure towards termination. Some have also resigned to accept upward mobility positions with other employers. At the present time Lorina Urbina is assigned to the Mission SAFE Office as the Assistant Neighborhood Coordinator. A number of Spanish speaking police officers have also been assigned on a regular basis to attend large SAFE Community and Block Club meetings. Sergeant Julio Fernandez who is now retired, Officer Elfram Delgado, Officer Gary Jiminez, Officer Art Tapia and Officer Gabriel Harp.

He went on to read about a number of services that are now being conducted by the SAFE Program in the Mission District and stated that these charges, he felt, were instigated by a former employee, Mr. Alvaro Sanchez who recently resigned as the Assistant Coordinator of Project SAFE in the Mission District. He said he accepted his resignation with the added important clause, 'for services other than satisfactory.' He said the Civil Service Commission was advised of his action and copies of his recommendation are now on file in their office. He said a Civil Service Hearing has been scheduled for Monday, January 7, 1980, at which time all documented evidence will be discussed as per normal procedures.

Commissioner Siggins stated that the Commission has been following the SAFE Program for some time and this is a solitary complaint that the Commission has received and is glad that it has been refuted in the manner in which it has been by the excellent letter that was read by Lieutenant Jordan.

Commissioner Sanchez then stated that he felt that there were two ways to interpret this letter and that number one, the fact that the SAFE Project has been so instrumental in many, many parts of this city that some people involved in the Mission Area would like more services. He said he thought this is partially perhaps part of the interpretation as he read it. He said he knew that SAFE had very outstanding programs because of his own personal inspection in the Mission District. He continued by saying he knew that there has been a big demand to increase services and he is now quite disturbed to learn that there was no contact with the Lieutenant and his Staff, to sit down with him and work out options, and explain some of the concerns about the expansion of these programs. He then told the Lieutenant that he felt that he and his staff had done an outstanding job and he felt that this would be a good time to sit down and communicate and expand programs and services.

RESOLUTION NO. 699-79

REQUEST FOR A SUPPLEMENTAL APPROPRIATION TO PROVIDE FUNDS FOR RADIO BATTERIES.

RESOLVED, that the Police Commission approves the request for a Supplemental Appropriation transferring \$26,359 from the Uniform Salary Account to the Material and Supply (1335 Electrical Supply) account.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 700-79

RECRUIT OFFICER TYRONE HILL, POLICE ACADEMY

WHEREAS, charges of violating the Rules and Procedures of the San Francisco Police Department were filed against Recruit Officer Tyrone Hill, as follows:

SPECIFICATION NO. 1

Consumption of Alcoholic Beverage on Duty. (Violation of Section 2.125 of the Rules and Procedures of the San Francisco Police Department.)

SPECIFICATION NO. 2

Failure to Answer Truthfully and Without Evasion Questions Propounded. (Violation of Section 2.49 of the Rules and Procedures of the San Francisco Police Department.)

by Charles R. Gain, Chief of Police, therefore be it

RESOLVED, that the date for the hearing before the Police Commission on charges filed against Recruit Officer Tyrone Hill, Police Academy, be, and the same is hereby set for Wednesday, December 19, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CONTINUATION OF THE HEARING OF POLICE OFFICER
TEDDY QUERUBIN, PARK POLICE STATION

The matter of the hearing of Police Officer Teddy Querubin, Park Police Station, was called, it having been continued from the meeting of December 5, 1979.

Police officer Teddy Querubin appeared in person and was represented by Robert R. Barry

and Paul C. Chignell, President and Vice-President, San Francisco Police Officers' Association.

Mr. Lawrence Wilson, Attorney at Law, appeared as the Prosecutor for the San Francisco Police Department.

Opening statement was made by Richard J. Siggins, President of the Police Commission.

The following-named witness appeared for the Prosecution, duly sworn and testified:

Dr. Norman Steiner
Police Surgeon

The following-named witness was called by the Prosecution, having been previously sworn, took the stand and testified:

Police Officer Teddy Querubin
Park Police Station

Closing statements were then made by Charles R. Gain, Chief of Police, and Police Officer Paul C. Chignell, Vice-President, San Francisco Police Officers' Association.

The Commission took the matter under submission, after which the following resolution was adopted:

RESOLUTION NO. 701-79

DECISION - HEARING OF POLICE OFFICER TEDDY QUERUBIN, PARK POLICE STATION

WHEREAS, on July 18, 1979, Charles R. Gain, Chief of Police, made and served charges against Police Officer Teddy Querubin, as follows:

SPECIFICATION NO. 1

- a) Teddy Querubin was admitted to the Police Academy on June 26, 1978, and was at all times herein mentioned, and still is, a police officer employed by the City and County of San Francisco;

b) Rule 2.36 of the Rules and Procedures of the San Francisco Police Department sets the weight standards for sworn members who entered the department after March 16, 1970; the maximum weight for the accused is 210 pounds, plus a ten percent allowance. Therefore, the maximum possible the accused may weigh is 231 pounds;

c) Early in his Academy training the accused was found to have a weight problem; this weight problem continued, despite counseling on several occasions, as can be seen from his weight on various dates:

September 21, 1978	-	232 pounds
September 29, 1978	-	233 pounds
October 2, 1978	-	229 pounds
April 2, 1979	-	238 pounds
April 5, 1979	-	246 pounds

d) Two meetings, on October 25, 1978, and May 8, 1979, were held with the Chief of Police to discuss the possible termination of the accused; these hearings placed him on notice of the seriousness with which the department viewed this matter;

e) On two occasions, in November 1978, the accused was found by a physician to have elevated blood pressure and on the second occasion was diagnosed as having "a symptomatic mild hypertension, possibly transitory;

f) Dr. Norman Steiner, the San Francisco Police Department Police Surgeon, examined the accused on April 5, 1979, and found that he weighed 247 pounds, and "based on his excessive weight and obesity, and inability to control this," recommended that he be terminated;

g) Officer Querubin was weighed on May 8, 1979, and found to weigh 233 pounds; pursuant to the requirement of Rule 2.36 he was reweighed three weeks later and found to weigh 236 pounds;

h) This conduct, failure to maintain weight standards, is in violation

of Section 2.36 of the Rules and Procedures of the San Francisco Police Department which states in pertinent part:

"Shall maintain the following weight and physical fitness standards:

- .1 All sworn members entering the department on or after March 16, 1970, shall not exceed the below-indicated maximum weight standards by more than 10% and shall meet the physical fitness standards while they are members of this department.

In regard to the weight standards, each member shall be required to be examined every six (6) months and should member fail to meet the weight required for height, member shall be given three (3) weeks to comply with said standard or face disciplinary hearing before the Police Commission.

Any waiver of the below standards must be approved by the Police Surgeon."

and

WHEREAS, a hearing on said charges was had before the Police Commission pursuant to Section 8.343 of the Charter of the City and County of San Francisco on Wednesday, September 5, 1979, and on Wednesday, September 5, 1979, the matter was submitted to the Police Commission for decision; and

WHEREAS, the Police Commission found that said charges made and filed against Police Officer Teddy Querubin, Park Police Station, as contained in Specification No. 1, violation of Section 2.36 of the Rules and Procedures of the San Francisco Police Department were sustained by the evidence presented at the hearing and subsequently terminated Officer Querubin, but stayed the imposition of termination for three months from September 5, 1979 to December 5, 1979, subject to four specified terms and conditions; and

WHEREAS, on December 5, 1979, a hearing was held before the Commission as to Officer Teddy Wuerubin's compliance with the Police Commission's

terms and conditions and found that the officer was not in compliance; and, therefore, called for further information from Dr. Norman Steiner, Police Surgeon; and

WHEREAS, on Wednesday, December 12, 1979, the matter was heard before the Police Commission in the presence of Officer Querubin's representatives, Robert F. Barry and Paul C. Chignell, President and Vice-President, San Francisco Police Officers' Association, Dr. Steiner, who testified, after which the Police Commission issued the following decision:

RESOLVED, that it is the order of the Police Commission that Police Officer Teddy Querubin has violated the terms and conditions imposed upon him by the Police Commission at the hearing of September 5, 1979; therefore be it

RESOLVED, that for said violation, Police Officer Teddy Querubin shall be suspended for forty-five (45) calendar days commencing at 0001 hours, Monday, January 14, 1980 and terminating at 2400 hours on Wednesday, February 27, 1980; and be it further

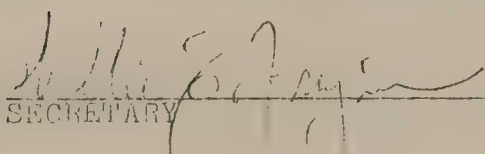
RESOLVED, that Police Officer Teddy Querubin shall be required to appear before the Police Commission on Wednesday, February 27, 1980 at 5:30 p.m., in Room 551, Hall of Justice, and if he does not meet the weight requirements as specified in Section 2.36 of the Rules and Procedures of the San Francisco Police Department, he shall be immediately terminated.

(The entire proceedings were taken in shorthand form by Hearing Reporter Linda Pransky, C.S.R.)

AYES: Commissioners Murphy, Sanchez, Toler, Siggins

NAYS: Commissioner Ciani

The Commission then adjourned its meeting at 2013 hours.



SECRETARY

19 DECEMBER 1979

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in their chambers, Room 551, Hall of Justice, 850 Bryant Street, on Wednesday, December 19, 1979 at 1730 hours in regular session.

PRESENT: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

DOCUMENTS DEPT.

Commissioner Siggins presiding.

MAR 17 1980

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The Commissioners, having received, amended and returned copies of the minutes of the meetings of November 14, 1979 and November 21, 1979, reading of same was dispensed with and the minutes were approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RECOMMENDATION OF THE TRAFFIC BUREAU -APPROVED

RESOLVED, that the recommendation of the Traffic Bureau on the installation of zoning for the regulation of traffic on the public streets, be, and the same are hereby approved:

1834 CLEMENT STREET - LOU'S CLEMENT FLORIST

- a) At 1834 Clement Street, install a 22' green zone, extending from east property line 22' west of same.

711 EDDY STREET - EASTERN PARK APT.

- a) At 711 Eddy Street, install a 44' white zone, extending from 70' to 114' east of west building line.

APPROXIMATELY #1 CENTER PLACE - DEMETER & REED

- a) At approximately #1 Center Place, revoke existing 48' yellow zone, extending from 10' to 58' south of Bryant Street.

445 BRYANT STREET - DEMETER & REED

- a) At 445 Bryant Street, revoke existing 30' yellow zone, extending from 19' to 49' east of Center Place.

461-465 BRYANT STREET - S.F.P.D.

- a) At 461-465 Bryant Street, revoke existing 63' yellow zone, extending from east building line 63' west of same.

1266 FLORIDA STREET - ST. PETER'S SCHOOL

- a) At 1266 Florida Street, revoke 36' of existing 80' white zone, extending from 115' to 151' north of 25th Street.

363 NOE STREET - DAVID M. JARAMILLO - DENIED

- a) At 363 Noe Street, install a 22' white zone, extending from north property line 22' south of same. DENIED

507 POST STREET - BARRETT MOTOR HOTEL (RESTAURANT)
DENIED

- a) At 507 Post Street, install a 44' white zone, extending from 59' to 103' west of east property line. DENIED.
- b) Meter POST 507 & 509 to be removed. DENIED.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

REVOKED

RESOLVED, that the recommendation of the Traffic Bureau on the revocation of 177 feet of white and yellow zones, at the parts of the City, at the locations submitted, be, and the same are hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 703-79

GARY RICHARD STEWART AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Gary Richard Stewart against the City and County of San Francisco in the sum of \$26,000.00 (\$24,284.04 to Plaintiff; \$1,715.96 for medical lien) in Superior Court Action No. 711 742, as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: July 20, 1976

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 704-79

MAHMUD AWAD AND HIS ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of Mahmud Awad against the City and County of San Francisco in the sum of \$1,300.00 in Superior Court Action no. 630-341 as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: August 19, 1970

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 705-79

DAVID BURKHOLDER AND WILLIAM GOETZ
AND THEIR ATTORNEY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of David Burkholder and William Goetz and their attorney against the City and County of San Francisco in the sum of \$2,500.00 in United States

District Court Action No. C-76-504 LHB as the result of damages sustained, be, and the same is hereby approved.

Date of Incident: March 25, 1975

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 706-79

YELLOW CAB COMPANY

RESOLVED, that the recommendation of the City Attorney for settlement of the claim of the Yellow Cab Company against the City and County of San Francisco in the sum of \$877.10 as the result of a collision with a police vehicle, be, and the same is hereby approved.

Date of Accident: September 19, 1979

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 707-79

POLICE NARCOTIC FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor of Chief of Police Charles R. Gain in the amount of \$6,000.00 charging same to Firm No. 355081 2021 133 01 as an advance on the Police Narcotics Fund for the month of December, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez,
Toler, Siggins

RESOLUTION NO. 708-79

POLICE CONTINGENT FUND - APPROVED

RESOLVED, that the Controller be, and he is hereby requested to draw a voucher in favor

of Chief of Police Charles R. Gain in the amount of \$4,000.00 charging same to Firm No. 355081 2010 132 01 as an advance on the Police Contingent Fund for the month of December, 1979.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 709-79

AUTHORIZING ATTENDANCE OF INSPECTOR WILLIAM C. VINCE AND ASSISTANT INSPECTOR ALEX E FAGAN, VICE CRIMES - NARCOTICS, AT THE NARCOTICS INVESTIGATORS COURSE AT SACRAMENTO, CALIFORNIA, FROM JANUARY 6, 1980 TO JANUARY 18, 1980, INCLUSIVE.

RESOLVED, that the recommendation of the Chief of Police that Inspector William C. Vince and Assistant Inspector Alex E. Fagan, Vice Crimes-Narcotics, be detailed to attend the Narcotics Investigators Course, at Sacramento, California, from January 6, 1980 to January 18, 1980, inclusive, be, and the same is hereby approved; and be it further

RESOLVED, that the expenses incurred by Inspector William C. Vince and Assistant Inspector Alex E. Fagan, in a sum not to exceed \$528.00 each, will be defrayed by the San Francisco Police Department's Police Officers' Training Fund.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

PERMISSION TO FILE A CIVIL SUIT - APPROVED

The request of Lieutenant Robert E. Pursley, Park Police Station, for permission to file a civil suit for damages sustained to his vehicle in an automobile accident involving the Muni Railway, be, and the same is hereby approved.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

RESOLUTION NO. 710-79

ANNUAL LEAVE OF ABSENCE FOR THE YEAR 1980

WHEREAS, pursuant to the provisions of Section 8.440 of the Charter of the City and County of San Francisco, all members of the Police Department, both uniformed and civilian after one year's continuous service, shall be allowed a vacation with pay of ten (10) working days; all members of the Police Department, both uniformed and civilian after five years continuous service, shall be allowed a vacation with pay of fifteen (15) working days, and all members of the Police Department, both uniformed and civilian, after fifteen years continuous service, shall be allowed a vacation with pay of twenty (20) working days; said vacation period for 1980 to be all inclusive (January 1 - December 31) for the entire calendar year; the responsibility for seeing that sufficient manpower is on duty in any rank is properly that of the superior officer involved; therefore be it

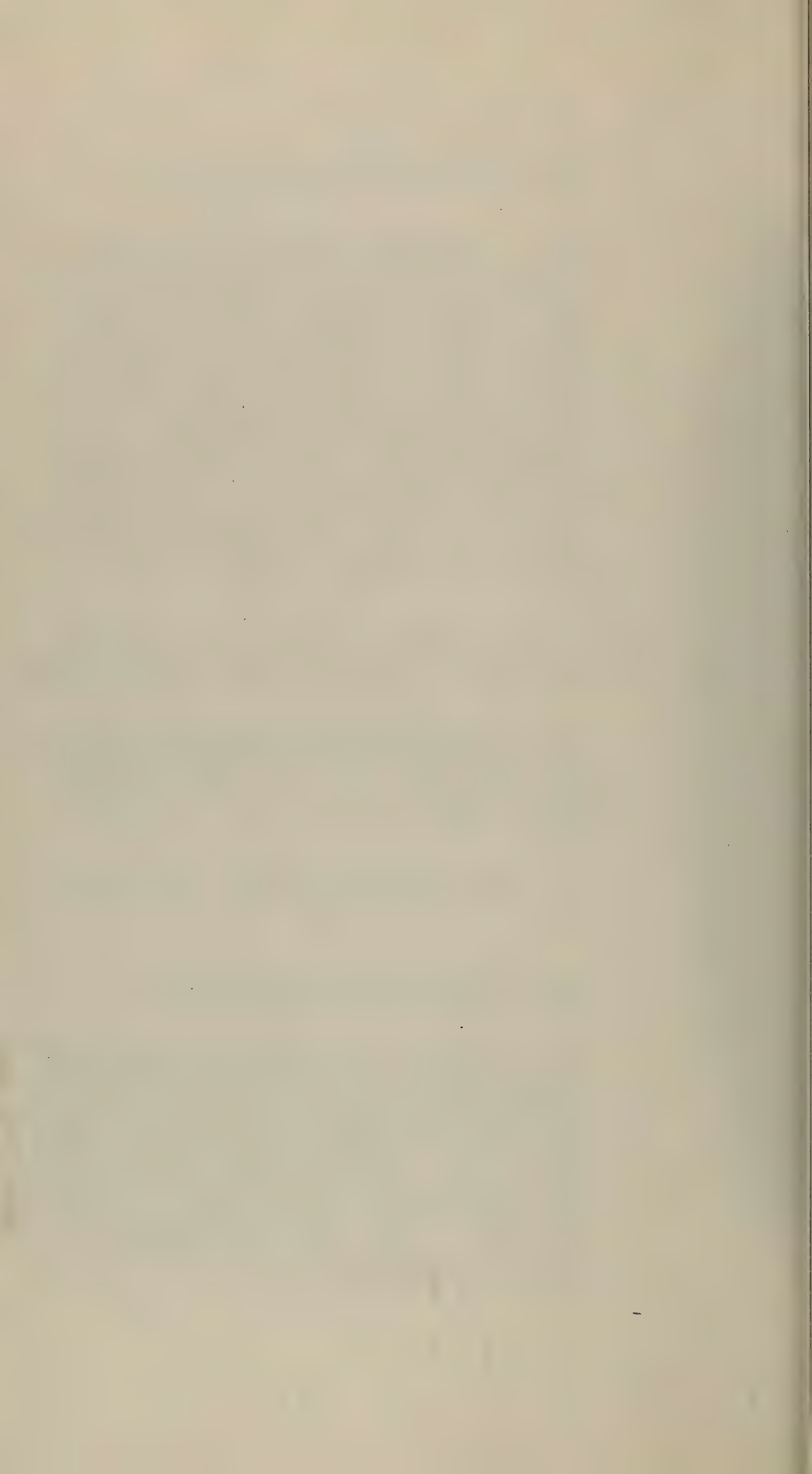
RESOLVED, that in selecting periods for vacation the members shall draw according to seniority in their respective ranks; and be it further

RESOLVED, that periods may be taken on an intermittent daily basis; provided, however, that any employee who is entitled to a vacation allowance of five (5) or more working days shall take at least five (5) days of his vacation at one time annually.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

CHIEF'S REPORT TO THE POLICE COMMISSION

Chief Gain stated that he had three items to report to the Commission, one of which, he said, is that recently a City and County Ordinance was passed in regard to the utilization of Police Vehicles. He stated that in reference to a vehicle being assigned to the Police Commission Office he was requesting the Police Commission pass a resolution to the effect that a designated police vehicle be assigned based upon the need for such a vehicle. He said that would formalize the assignment of a vehicle because all vehicles, under the ordinance, vest the Chief of Police with the responsibility of use, control, and assignment, and, obviously, the Chief



of Police does not control vehicle utilization by the Police Commission Staff.

Commissioner Siggins stated that it should be clear that the Commission wanted the assignment of a vehicle and that the Commission should have one at its disposal.

Commissioner Ciani stated that she had a question about it and wondered if the shortage of vehicles is such that it would be more desirable from the Department's point of view not to have a specific vehicle assigned, or if there were some kind of pool arrangement which the Commission Office could use which would be more conducive to Department over-all planning?

Chief Gain then stated that again he would request the passage of this resolution and then day by day a record could be made and if there is not a need for that vehicle then it could be otherwise used. He continued by saying that what the resolution would do would be to give preference to the Police Commission Office for the use of that vehicle.

After further discussion on the subject, Commissioner Murphy moved to pass a resolution assigning the vehicle to the Commission Office which was then seconded by Commissioner Toler.

The resolution was then stated as follows:

RESOLUTION NO. 702-79

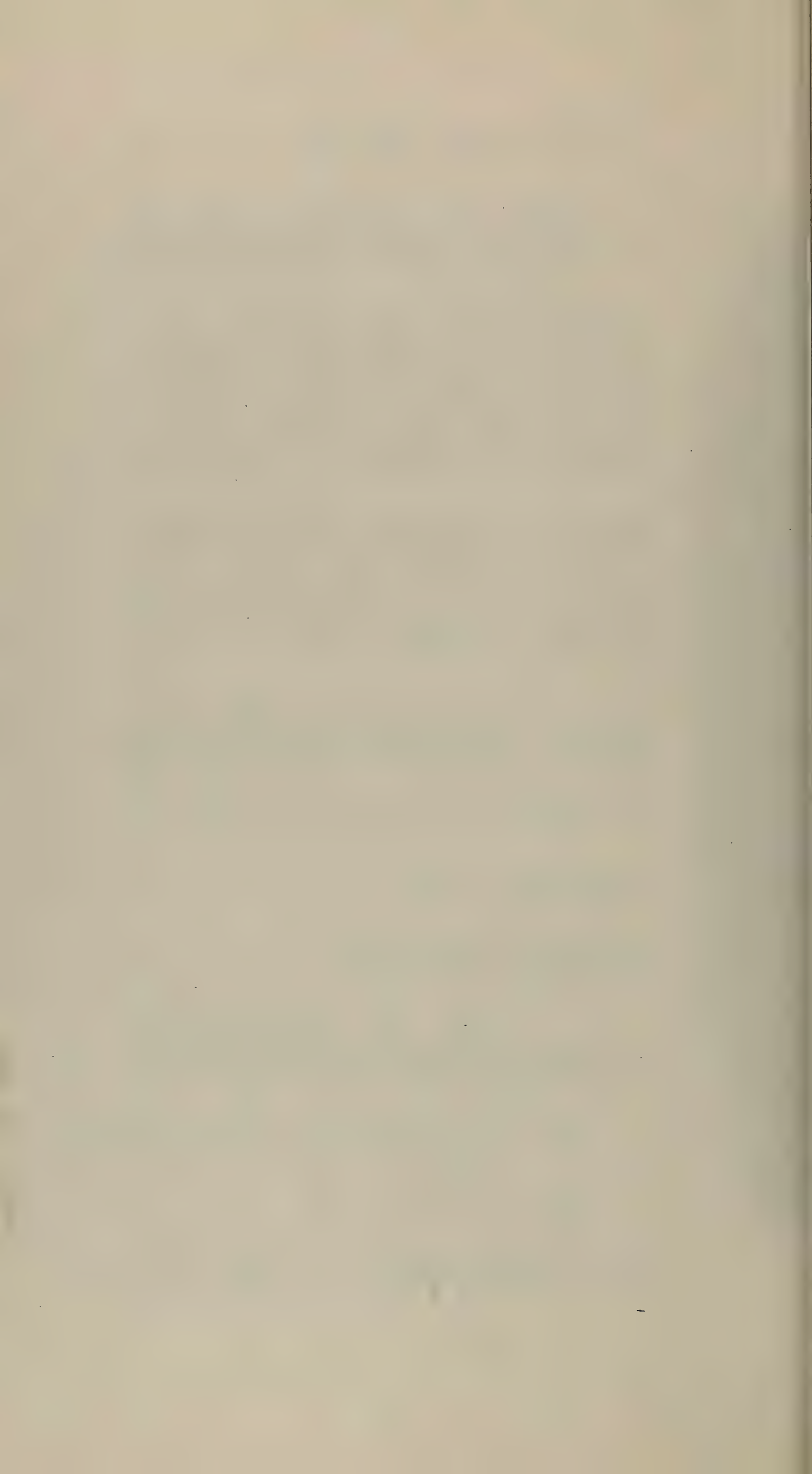
ASSIGNMENT OF DEPARTMENT VEHICLE NO. 123 TO
POLICE COMMISSION OFFICE

RESOLVED, that the Police Commission hereby adopts the above-numbered resolution for the purpose of having assigned to the Police Commission Office, department vehicle, No. 123.

AYES: Commissioners Murphy, Sanchez, Toler,
Siggins

NAYS: Commissioner Ciani

Chief Gain then stated that the second item is that he learned late today that Officer John Devine retired as of today. He said he was hoping



that he would have remained for today's meeting for corporate acknowledgement and appreciation but as everyone knows, he has had a long recurring injury on duty related problem. So the retirement is effective today. He said, of course the Commission would think of this themselves but, he stated, he would like to mention that Officer Devine should be asked to come back, perhaps next week, or at the next regular meeting to receive acknowledgement for the arduous job he undertook and for the results that he accomplished during the many years, particularly during the last four years under this Commission, in the Alcoholic Abuse Program.

Commissioner Siggins then stated that he would suggest that not only should the Commission recognize him but the Associations also because he worked for the good of the Department in every aspect that he has undertaken and that the Department is losing a very good member.

Chief Gain stated that this might be a good time for the Commission to get a review of the program. An avaluation, he said, to again identify the content of the program, its goals and objectives.

Commissioner Murphy stated that she would like to add to that in that the Commission should get a job description of the kind of person we would want with the background and education, training, etcetera. She stated that this would then be a good guide for assigning whoever takes his place.

Chief Gain stated that yes he would provide that and went on to state that the last thing that he had was, that assuming the Commission's approval, he would take vacation next week, accrued time the week thereafter, and that his last official date as Chief of Police will be the 8th of January and tonight would be his last night before the Commission.

Commissioner Siggins then asked the Chief if he would like to keep his STAR, to which the Chief acknowledged, affirmatively. Commissioner Siggins then stated that it should be put in the form of a motion.

Commissioner Toler then so moved and it was seconded by Commissioner Sanchez.

The resolution is as follows:

RESOLUTION NO. 711-79

AWARDING OF CHIEF OF POLICE STAR TO CHARLES R. GAIN

RESOLVED, that for services rendered from January, 1976 to January, 1980, it is, and shall be, the order of the Police Commission, that Chief of Police Charles R. Gain, be and the same is hereby awarded the Star he wore during his tenure as Chief of Police of the San Francisco Police Department.

AYES: Commissioners Ciani, Mruphy, Sanchez, Toler, Siggins

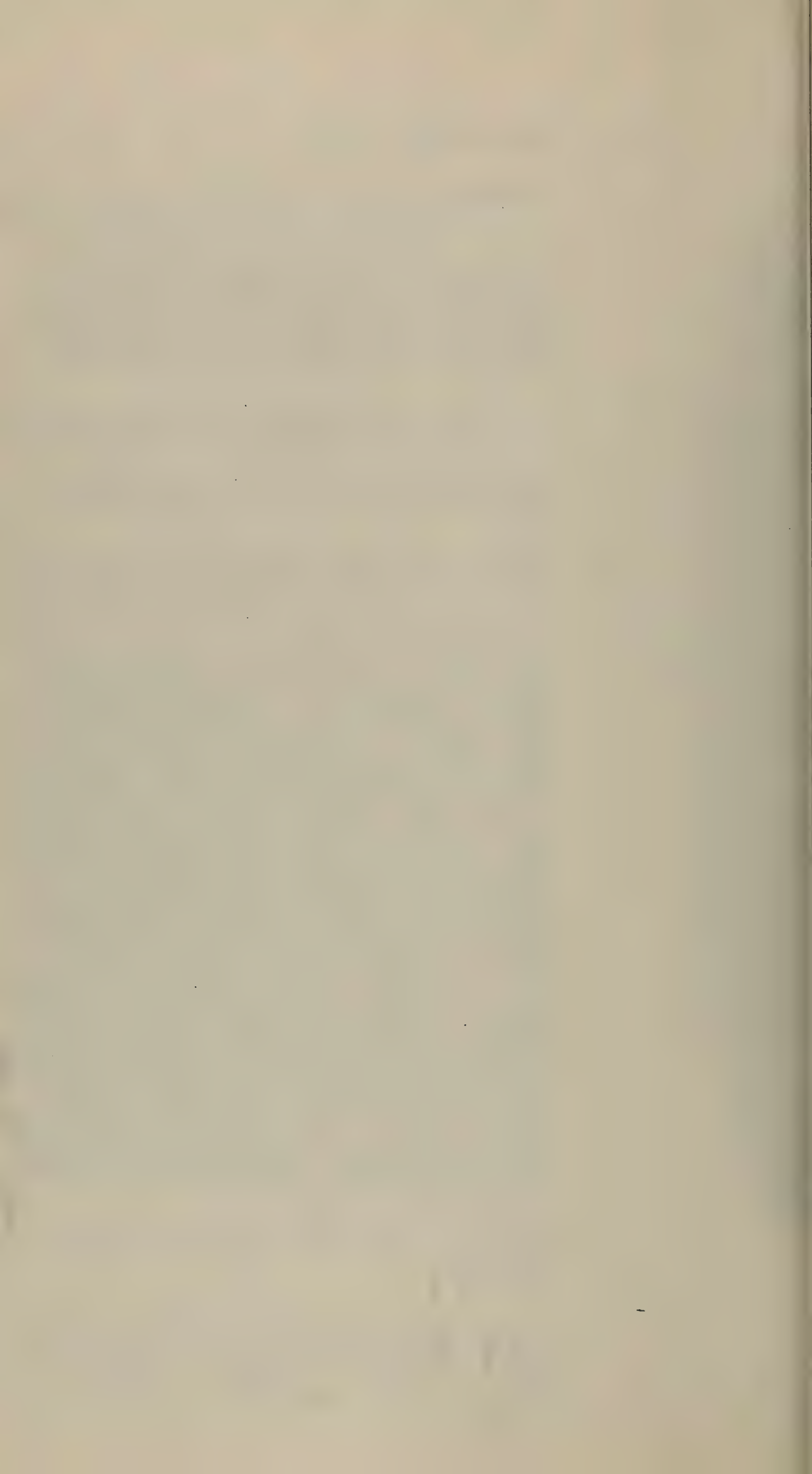
The Chief then stated that that concluded his report.

Commissioner Siggins then thanked the Chief and asked if anyone had any questions for the Chief?

Mr. Bob Barry, President of the Police Officers' Association, stated that just as a follow-up he would like to follow-up on the Chief's last report to the Commission: "You know he has been the Chief for quite a long time and there has been a lot of controversy in the Police Department. There has been a lot of controversy between our Association and the Chief. There has also been a lot of good things that have happened in this police department and one of the things that I am going to miss as an individual, is the manner in which the Chief has dealt with the personnel on personnel matters and grievances. I think he has been fair, I think he has been objective, and I don't think in those terms that I could ever criticize the Chief for what he has done and the manner in which he has treated our people. And that quality is going to be missed and I hope that the Chief's successor has those qualities because that's one of our most important areas in protecting our members and their rights and their working conditions. And I just want to make that known to you. I have made that known in the Press in the past and I think the Chief and I and other members of our Board have had a relationship that is a creditable one and we have tried to deal on a rational basis on even the controversy and I think to some extent we have been able to achieve that. And I just want to extend to you (Chief) best wishes."

Chief Gain: "Thank you very much Bob, I appreciate that."

Commissioner Siggins then stated to Mr. Barry that the Commission appreciated his coming forth in that regard and stated to him that he (Chief Gain) could hold his head high when you hear remarks like that from the Police Officers' Association.



RESOLUTION NO. 712-79

PROPOSED ORDINANCE REPEALING SECTION 160.01 OF
THE SAN FRANCISCO TRAFFIC CODE.

WHEREAS, the legislature of the State of California has enacted Senate Bill 848 amending Vehicle Code Section 22852 providing for hearings concerning the validity of the removal and storing of vehicles by public agencies; and

WHEREAS, the legislature has further provided that such hearings may be conducted by the public agency ordering the removal and storing of vehicles; and

WHEREAS, the San Francisco Police Department intends to conduct these hearings; and

WHEREAS, the legislature has provided that these hearings be the remedy for owners of vehicles ordered stored by a public agency; and

WHEREAS, a conflict of law thereby arises in that Traffic Code Section 160.01, should it remain in effect, provides a remedy outside the scope of the legislative enactment; and

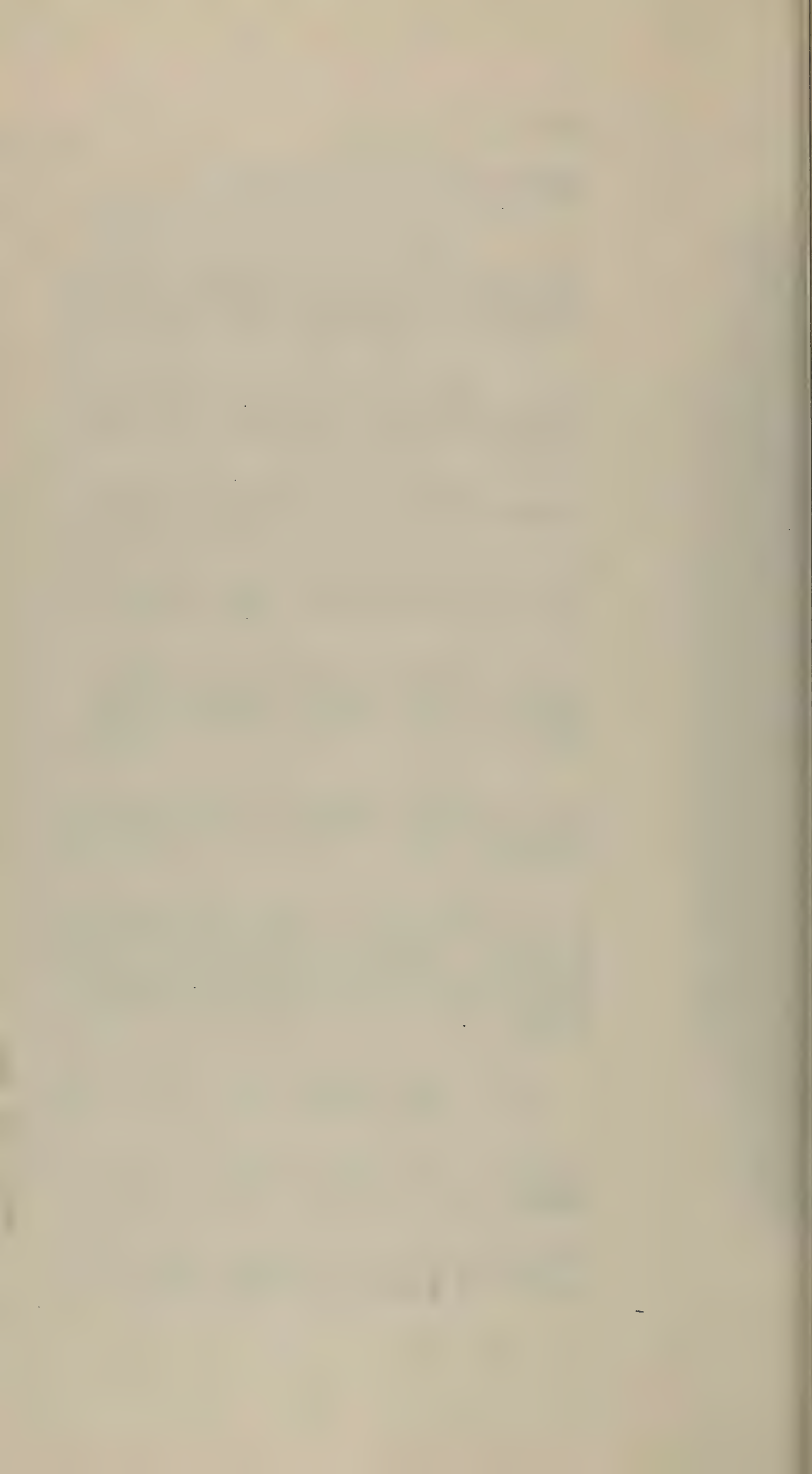
WHEREAS, the Chief of Police has requested that this conflict of law be eliminated through the repeal of Traffic Code Section 160.01; therefore be it

RESOLVED, that the attached amendment to the San Francisco Municipal Code be forwarded to the City Attorney for submission to the Board of Supervisors for adoption by them, thereby eliminating the current procedure for recovery of removed vehicles when the owner cannot pay the tow fee.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

HEARING OF RECRUIT OFFICER TYRONE HILL, POLICE
ACADEMY

Chief Gain stated that he was requesting that this be continued to the next regular meeting and the reason for the request is that Mr. Barry and Mr.



Chignell came to him today to discuss the matter and pointed out to him that there was some factual problems in the documentation which had been submitted to him that gave rise to the charges. He said, in fact, he found that there are some problems with it and, therefore, requested a continuance to the Commission's next regular meeting and then the Acting Chief next week will have to entertain the matter as to whether there will be a hearing and what recommendation will be made to the Commission in that regard.

He also stated that the next recruit school is scheduled for the seventh of January and it might well be that next week the Acting Chief will determine that based upon information that will be available by that time that there should not be a hearing and if he comes to that judgment he will be requesting withdrawal of charges. So if that should occur, he was asking the Commission's permission to ask the Acting Chief to designate that this officer be allowed to start that school on the seventh.

RESOLUTION NO. 713-79

HEARING OF RECRUIT OFFICER TYRONE HILL, POLICE ACADEMY

WHEREAS, the hearing of Recruit Officer Tyrone Hill, Police Academy, was called, it having been set for this date; and

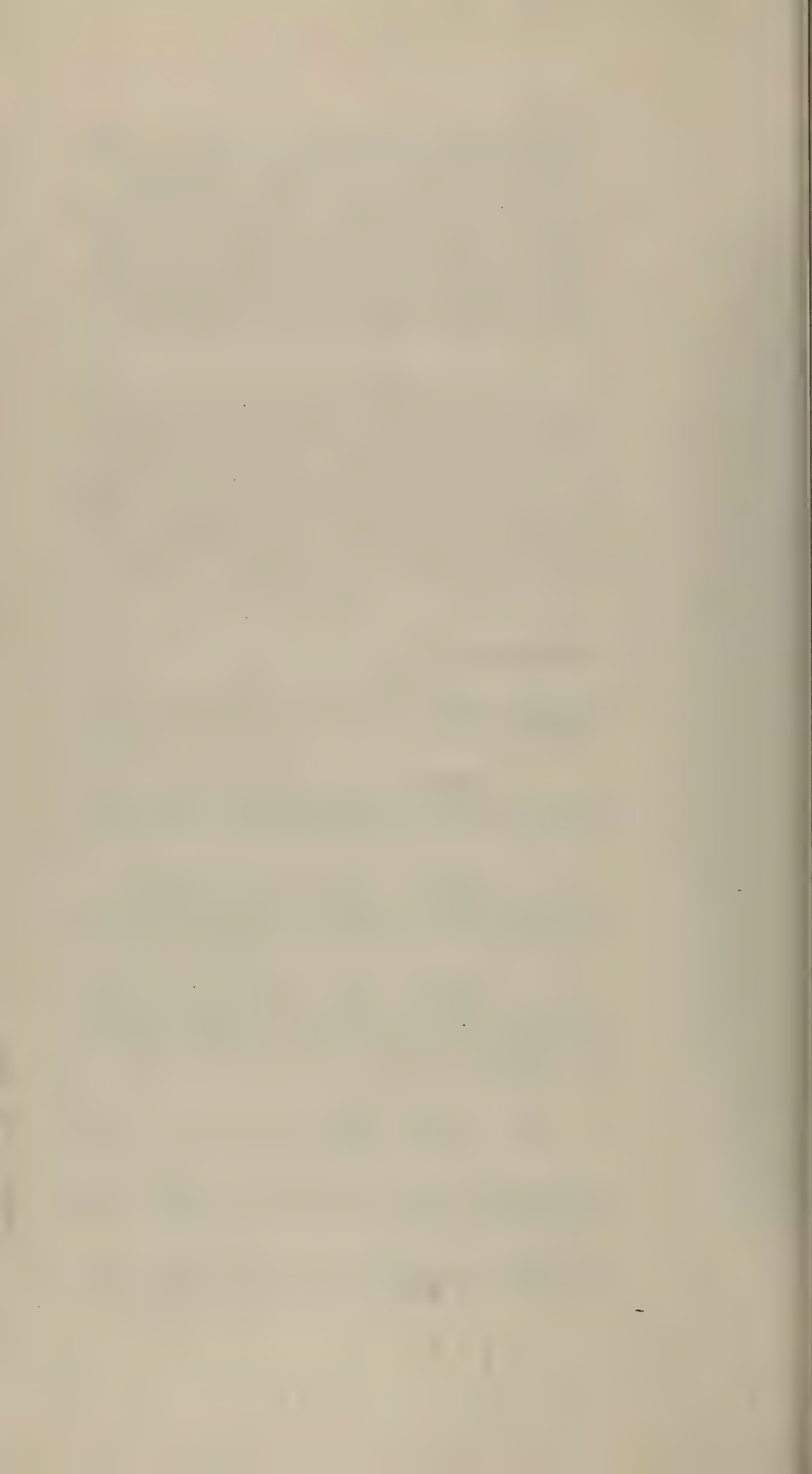
WHEREAS, Chief of Police Charles R. Gain requested that Recruit Officer Tyrone Hill's disciplinary hearing be postponed and re-scheduled for another date; therefore be it

RESOLVED, that the hearing of the disciplinary charges filed against Recruit Officer Tyrone Hill, Police Academy, is set for Wednesday, December 26, 1979 at 5:30 p.m., in Room 551, Hall of Justice.

AYES: Commissioners Ciani, Murphy, Sanchez, Toler, Siggins

Commissioner Siggins then asked the Chief if there was any further matters to be discussed?

Chief Gain then stated that he had forgot to mention for the fulfillment of his obligation, to



submit to the Commission a report on the recommendation of a centralized Community Relations Unit. He said that he wanted to submit it to the Commission under the reports of the Chief rather than as an item on the Agenda because it is a report that is going to call for future action and that he would like, for the record, for it to be acknowledged that he had fulfilled the obligation to submit the report.

Commissioner Siggins acknowledged it and then thanked the Chief and stated that the Commission would need time to study it.

Mr. Lawrence Wilson, Attorney for the Police Department's Legal Office, then stated that he would like to make some remarks: "Because this may be the last time the Chief is here, I just want to extend my appreciation in this forum for the training he afforded me for the year and a half that I have been on this job. It's really been a privilege and an honor to serve under a man of your caliber and your integrity and I want to just say that here before the Police Commission."

Chief Gain: "Thank you very much Larry."

Commissioner Siggins: "Thank you Mr. Wilson."

Commissioner Murphy: "I would like to say as one of the oldest members of this Commission that it has been a pleasure to serve with you and I think you have done a magnificent job."

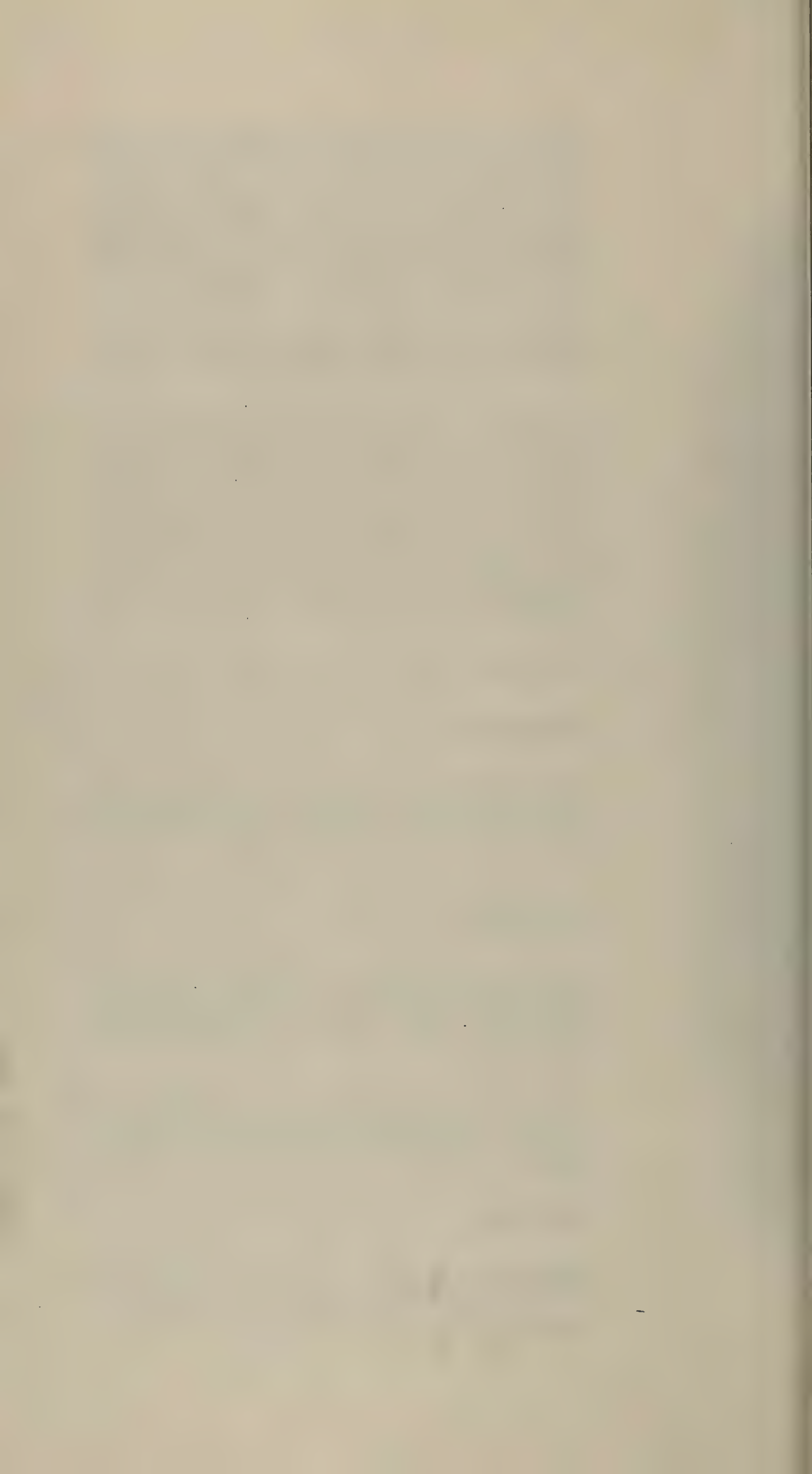
Chief Gain: "Thank you. For four years it's been enjoyable."

Commissioner Siggins: "I would say Chief that I'd prefer going on vacation after a motion of commendation made I would vote on it now just as I did the night we did it unanimously a few months back."

Commissioner Toler: "And I will too, being next to the youngest member of this Commission, I wish you the best and I thank you for your cooperation and confidence, and the best to you."

Chief Gain: "Thank you very much."

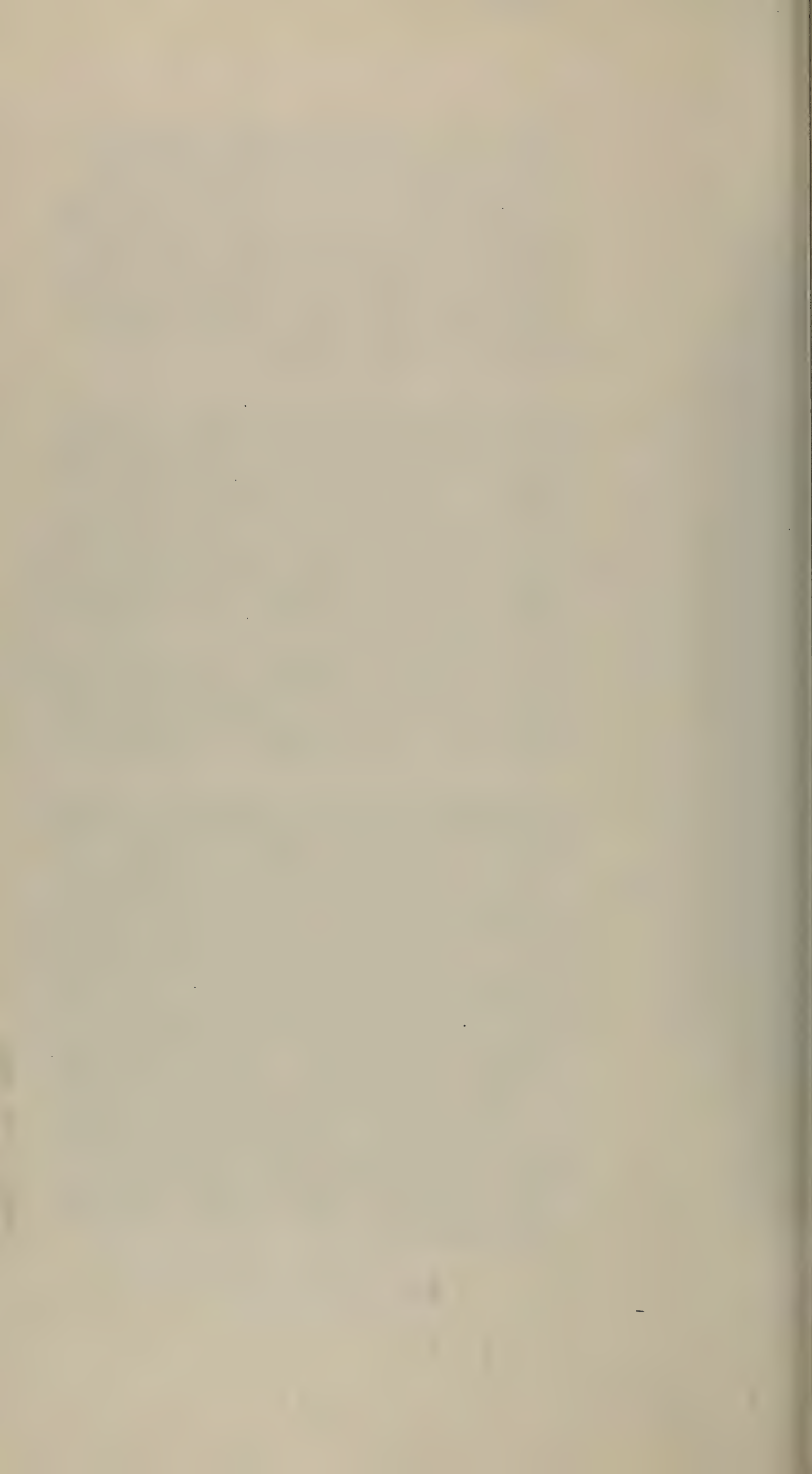
Commissioner Sanchez: "I would just like to throw out a footnote, as far as a time variable, I just wanted to say that although we, as a Commission, we've had differences over the



brief tenure in some key issues, I think that all of us, in particular myself, have been totally impressed on a continual basis on your high professionalism and integrity in law enforcement. And I think this stands you above and beyond many, many people in law enforcement agencies and that's one thing I know I have respected in you as a leader is your total commitment to professionalism in the department from that context. And I think that that is something that I hope will become a tradition within the Department which I think you have established in that context."

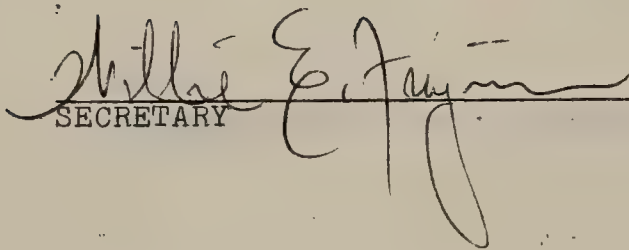
Chief Gain: "Thank you. If I may just comment, I am fully confident that as far as the Department, improvements have been made during four years and what will occur in the future is more and more improvements. The Department, without question, is on its way to excellence and we will, in due time, be a model police department in California. I mention it because some expressed apprehension that with a new Chief there might be a change in adherence by officers, there would be discrimination and that applies particularly to the Gay Communities. I am confident that this is not going to occur. That all of the good things that exist will be carried on changed as they need to be changed, that new innovations will be adopted. So that there has been traditions, there are traditions now which are good and we are going to see a continued advancement and improvement in the Department, without question."

Commissioner Siggins: "I might comment there, along the lines of the recent Grand Jury Report and the POA's report on the riot, and I think the most comprehensive report, of course, was by the one we commissioned by the Stanford Research Institute. And I accepted that report and met with the people who put that together. The Project Leader, I think, was here and I sat down with them and at that time they knew that you were leaving and they gave me that report and they said that we feel that the city of San Francisco is losing a great Chief of Police, and I said yes, I know it and that was never brought out. The papers want to only pick up certain things from that Stanford Research Report and said the report criticized the Chief. It was up to them (SRI) maybe, if they wanted to come back and say the things they said to me and I am sure if the press has asked them those things they would have said it to them also. And John Taylor, who is the Project Leader would, I'm sure, say that tonight. The same thing he said to me. Because he wasn't hiding anything."



Commissioner Siggins: "Well, we wish you a Merry Christmas from the Commission to the Chief, Deputy Chief, our Secretary, the Court Reporter, Prince Arcadia Merry Christmas and thank you for the Christmas wishes. To my two dear friends from Hope, I like you Alabama who are here in the audience and to each other."

The Commission then adjourned its meeting at 1820 hours.


SECRETARY

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26 DECEMBER 1979

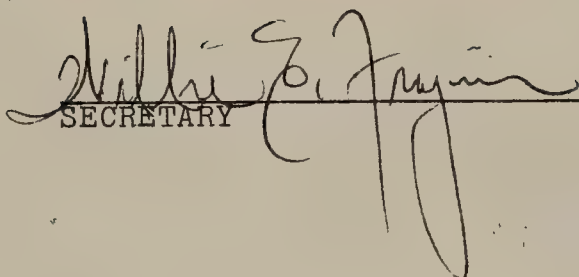
REGULAR MEETING

The Police Commission Meeting on
this date was cancelled due to the
lack of a quorum.

DOCUMENTS DEPT.

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